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ABSTRACT

This report details the findings of an annual survey of state child care regulatory agencies. The survey gathered data on both small family child care homes and group or large family child care homes in each of the 50 states, the District of Columbia, Puerto Rico and the Virgin Islands. The report's introduction lists the survey categories and defines or explains each category. The main body of the report lists responses from each state's regulatory agency, categorized into the following areas: number of regulated homes; definitions and regulatory requirements; unannounced inspection procedures; tracking of license denials and revocations; complaint procedures; provider qualifications; provider training and orientation; discipline policy; emergency medical consent policy; environmental policy; immunization policy for children; fire code policy; nutrition policy; smoking policy; before and after school programs; infant care programs; programs for children with disabilities; sick child care programs; zoning regulations; available resources; local contact; and pending/new legislation. The report's appendix lists each state's regulatory office and contact person. (LBT)

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THE 1997
FAMILY CHILD CARE LICENSING STUDY

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1997 FAMILY CHILD CARE LICENSING STUDY

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TABLE OF CONTENTS

	Page
Introduction	i
Methodology/Acknowledgements	ii
Definition of Terms	iii
Regulatory Requirements for Family Child Care Homes	vii
Regulatory Requirements for Group (Large) Child Care Homes	xi
Question and Answer Summary	xv
(AL) Alabama	1
(AK) Alaska	4
(AZ) Arizona	8
(AR) Arkansas	15
(CA) California	18
(CO) Colorado	22
(CT) Connecticut	26
(DE) Delaware	30
(DC) District of Columbia	34
(FL) Florida	37
(GA) Georgia	40
(HI) Hawaii	43
(ID) Idaho	47
(IL) Illinois	52
(IN) Indiana	57
(IA) Iowa	60
(KS) Kansas	64
(KY) Kentucky	68
(LA) Louisiana	76
(ME) Maine	79
(MD) Maryland	82
(MA) Massachusetts	86
(MI) Michigan	90
(MN) Minnesota	93
(MS) Mississippi	96
(MO) Missouri	99

Page
(MT) Montana 103
(NE) Nebraska 106
(NV) Nevada 110
(NH) New Hampshire 114
(NJ) New Jersey 118
(NM) New Mexico 122
(NY) New York 125
(NC) North Carolina 129
(ND) North Dakota 133
(OH) Ohio 136
(OK) Oklahoma 140
(OR) Oregon 144
(PA) Pennsylvania 148
(PR) Puerto Rico 152
(RI) Rhode Island 155
(SC) South Carolina 158
(SD) South Dakota 161
(TN) Tennessee 165
(TX) Texas 169
(UT) Utah 172
(VT) Vermont 175
(VI) Virgin Islands 179
(VA) Virginia 182
(WA) Washington 188
(WV) West Virginia 192
(WI) Wisconsin 195
(WY) Wyoming 198
List of Regulatory Offices 202

INTRODUCTION

The *1997 Family Child Care Licensing Study* contains the results of a survey of state child care regulatory agencies to update and expand family child care regulatory information published in the *1996 Study*. In addition, new information from regulatory agencies in Puerto Rico and the Virgin Islands has been added. Data on both small family child care homes (FCCH) and group or large family child care homes (LCCH or GCCH) is included and organized into 22 categories:

Number of Regulated Homes
Definitions and Regulatory Requirements
Unannounced Inspection Procedure
Tracking of Denials and Revocations
Complaint Procedure
Provider Qualifications
Provider Training and Orientation
Discipline Policy
Emergency Medical Consent Policy
Environmental Policy
Immunization Policy for Children
National Life Safety Fire Code Policy
Nutrition Policy
Smoking Policy
Before and After School Programs
Infant Care Programs
Programs for Children with Disabilities
Sick Child Care Programs
Zoning Regulations
Available Resources
Local Contact
Pending/New Legislation

We recognize that information in the *1997 Study* is current only as of the date on which the information was supplied to us by each regulatory office. It is the intention of The Children's Foundation that the information in here be useful to child care providers, advocates, trainers, researchers, the media, and policy makers as each group works on behalf of children and families.

Kay Hollestelle
Executive Director
August 1997

METHODOLOGY

This *Study* is an annual update of information originally compiled in 1976. The data was secured from the central regulatory agency in each of the 50 states, the District of Columbia, Puerto Rico and Virgin Islands. This mailing took place during May 1997.

The agencies were asked to examine the information we published in the *1996 Study* and respond to new questions on family child care homes and large family child care homes. These additional questions were formulated from requests for information that CF received during the year. After CF received the new and/or updated information, each regulatory agency was asked to re-verify the data that would appear in the *1997 Study*. This took place in June and July 1997.

Any state with an asterisk (*) after the title indicates that CF received no new or updated information from that state by press date. Therefore, the information printed in the *1997 Study* is from the *1996 Study*.

The name and address of the regulatory office and contact person that supplied and/or re-verified the information is provided on the first page of a state or territory. A complete list of all regulatory offices and contacts is at the end of the book.

ACKNOWLEDGEMENTS

We are grateful to the various child care officials in the regulatory offices who took time out of their busy schedules to provide and re-verify the information contained in this *Study*.

We also thank Sandra Gellert who input the 1997 data into the computer and did the layout and formatting. Assistance with compilation, mailing and telephone follow-up was provided by University of Maryland Intern, Katie Houtz.

We hope that the *Family Child Care Licensing Study* will be of continuing value to those working with and in the many areas of the family child care profession.

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LARGE FAMILY CHILD CARE HOME (LCCH): [Also called Group Child Care Homes (GCCH), Group Day Homes (GDH)] A child care arrangement in which a provider generally cares for seven to twelve children, including those of the provider and any assistants, in the home of the provider or in another facility, with one or more assistants present for compensation. Statutes vary in determining the maximum number of children allowed in a large or group family child care home and also the number of assistants required. The age of the children is sometimes a factor used in establishing maximums number allowed.

LICENSING: The granting of formal permission by a designated state/territory or local agency to an individual or legal entity to operate a child care facility. The entity has the authority to ensure that standards are being met, set procedures for revoking a license and provide appeal mechanisms. In addition to the inspections carried out by the licensing agency, local fire and health departments also carry out on-site inspections of family child care homes. Generally, a license is issued and renewed as long as all of the applicable regulations are being met. The purpose, then, is to protect vulnerable consumers by setting a minimum floor for reasonably safe service.

NUMBER OF REGULATED HOMES: Each regulatory office provides the most current information available about the number of regulated family child care and group family child care homes in that state/territory. It should be noted, however, that maintaining an accurate number of the regulated active family child care providers is an extremely difficult task due to the turnover rate in the profession. Also, in some places cities or counties have the responsibility for regulating homes in their jurisdiction and are included separately in the reported number of homes.

ORIENTATION: An introduction to the profession of family child care offered to prospective providers. The regulations pertaining to family child care, an overview of how to establish a family child care home, and the responsibilities of family child care providers are all topics that are normally covered in an orientation. Orientations are usually provided by local regulatory agencies.

REGISTRATION Type 1: Registration is a form of regulation that stresses caregiver self-inspection and parent awareness. It is intended to identify service providers that the government cannot or chooses not to license. The process works in the following way. Registration standards are determined. These are generally the standards used in licensing. When the provider receives information detailing these standards, she/he does a self-study to determine whether these standards are met. This study usually includes self-certification that the provider has met certain fire and health standards. It may or may not also include other requirements such as a medical examination, TB screening, child abuse clearance, criminal records check and/or finger printing. On receipt of this information by the regulating agency, the FCCH is considered to be registered and has permission to operate. Inspection or monitoring visits are usually done by random sample or when a complaint has been filed.

Type 2: In some states, registration is a simple sign-up procedure where operating FCCH are listed with the regulatory agency. These homes are only required to sign a health and safety checklist agreeing to meet minimum standards of health and safety. Generally no inspection/monitoring visit takes place.

RELATIVE CARE: Generally, this is care provided by an individual related to the child by blood, marriage or adoption; however, some entities have broadened this definition. [Refer to the specific state/territory for their definition.]

SELF-CERTIFICATION: Self-certification is a process where a potential provider gets a form from the proper licensing agency, fills it out as it pertains to the potential FCCH, usually needs to get the form notarized, and then returns the form to the licensing agency. It may or may not include other requirements such as a medical examination, child abuse clearance, criminal records check, TB screening or finger printing. It may or may not include a random-sample inspection or monitoring visit.

STATE/TERRITORY REGULATORY OFFICE: Family child care homes are regulated in each through one, and sometimes two, departmental offices. Ex.: Departments of Welfare; Social Services; Health and Welfare; Health and Human Resources; Youth and Family; and Family Services.

STATE SPONSOR: In the administration of the Child and Adult Care Food Program, this is the state agency which administers this program for the U.S. Department of Agriculture in a particular state.

SYSTEM: Any sponsoring organization which has been authorized/licensed by the state/territory to approve and monitor family child care homes. Systems refer children to available homes only in that system, provide administrative functions (technical assistance, evaluation, supervision, fee collection, etc.) to homes, and make referrals of children to available health and social services. A system may also be referred to as a **NETWORK**.

TRAINING: Instruction received by family child care providers on job-specific topics. Some entities require training prior to beginning a family child care business, some require on-going training, and others require both. The number of training hours and whether the training is required annually differ greatly.

VOLUNTARY REGISTRATION/CERTIFICATION: Many states have created this category of regulation to meet the requirements of the Child Care and Development Block Grant (CCDBG). Generally this means a provider states in writing that he/she agrees to meet minimum standards of health and safety. It may or may not also include other requirements, such as: a medical exam, child abuse clearance, TB screening, etc. Inspection or monitoring visits only occur when a complaint has been filed.

ZONING: A form of land use restriction which has as its purpose the protection of private property values or neighborhood characteristics. This has increasingly become a barrier to provision of family child care when local jurisdictions do not allow this care as a permitted use of residence.

REGULATORY REQUIREMENTS FOR FAMILY CHILD CARE HOMES

State	Type of Regulation	Number of Children Allowed in Home	Number of Children Exempt from Regulation
Alabama	Licensing	1 - 6	None
Alaska	Licensing	5 - 8	1 - 4
Arizona	Certification	1 - 4	1 - 4 (non-subsidized children)
Arkansas	Voluntary Registration	1 - 5	1 - 5
California	Licensing	1 - 6 (+2 B/A School)	children from only 1 other family
Colorado	Licensing	2 - 6 (+2 B/A School)	1 - 2*
Connecticut	Licensing	1 - 6 (+3 B/A School)	None
Delaware	Self-Certification	1 - 6** 1 - 9** (+2 B/A School)	None
District of Columbia	Licensing	1 - 5	None
Florida	Licensing (receiving public funds) or Registration	1 - 5 (+5 B/A School)	children from only 1 other family
Georgia	Registration	3 - 6	1 - 2
Hawaii	Registration	3 - 6	1 - 2
Idaho***	Voluntary Licensing	1 - 6	1 - 6
Illinois	Licensing	4 - 8 (+4 B/A School)	1 - 3

State	Type of Regulation	Number of Children Allowed in Home	Number of Children Exempt from Regulation
Indiana	None	-----	1 - 5
Iowa	Voluntary Registration	1 - 6	1 - 6
Kansas	Registration	1 - 6	None
Kentucky	Voluntary Certification	1 - 3	1 - 3
	Required Certification	4 - 6	None
Louisiana	Mandatory Registration (only if receiving public funds)	1 - 6	1 - 6 (not receiving public funds)
Maine	Licensing or Registration (Provider's choice)	3 - 12	1 - 2
Maryland	Registration	1 - 8	None
Massachusetts	Licensing	1 - 6	None
Michigan	Registration	1 - 6	None
Minnesota	Licensing	1 - 10	None
Mississippi	Voluntary Registration	1 - 5	1 - 5
Missouri	None	-----	1 - 4
Montana	Registration	3 - 6	1 - 2
Nebraska	Self-Certification	4 - 8 (+2 B/A School)	1 - 3
Nevada	Licensing	5 - 6	1 - 4
New Hampshire	Licensing	1 - 6 (+3 B/A School)	None

State	Type of Regulation	Number of Children Allowed in Home	Number of Children Exempt from Regulation
New Jersey	Voluntary Registration	1 - 5 (+3 B/A School)	1 - 8
New Mexico	Licensing	5 - 6	1 - 4
New York	Registration	3 - 6	1 - 2
North Carolina	Registration	3 - 5 (+3 B/A School)	1 - 2
North Dakota	Licensing****	6 - 7 (+2 B/A School)	1 - 5
	Voluntary Registration	1 - 5	1 - 5
Ohio	Certification (if receiving public funds)	1 - 6	1 - 6 (not receiving public funds)
Oklahoma	Licensing	1 - 7	None
Oregon	Registration	4 - 6 (+4 B/A School)	1 - 3
Pennsylvania	Registration	4 - 6	1 - 3
Puerto Rico	Licensing	1 - 6	None
Rhode Island	Certification	4 - 8	1 - 3
South Carolina	Licensing (if receiving public money) OR Registration (Provider's Choice)	1 - 6	None
South Dakota	Voluntary Registration (required if receiving public funds)	1 - 12	1 - 12
Tennessee	Licensing	5 - 7	1 - 4
	Voluntary Registration	1 - 4	1 - 4

State	Type of Regulation	Number of Children Allowed in Home	Number of Children Exempt from Regulation
Texas	Registration	4 - 6 (+6 B/A School)	1 - 3
Utah	Licensing	4 - 6	1 - 3
Vermont	Registration	1 - 6 (+4 B/A School)	*****
Virgin Islands	Licensing	3 - 6	1 - 2
Virginia	Voluntary Registration (Some cities/ counties and 3 licensed systems use Required Registration or Certification)	1 - 5	1 - 5 (unless in city/county requiring regulation)
Washington	Licensing	1 - 12	None
West Virginia	Registration	1 - 6	1 - 3 (no exemption for providers receiving public funds)
Wisconsin	Certification (if receiving public funds)	1 - 3	1 - 3 (no exemption if receiving public funds)
	Licensing	4 - 7	None
Wyoming	Licensing	3 - 6	1 - 2

* Colorado: From 1 family

** Delaware: Level I - 1:6; Level II - 1:9

*** Idaho: Individual cities have required registration, licensing or certification

**** North Dakota: Licensing also required when caring for 4 children under 24 months

***** Vermont: From 1 or 2 families, unless receiving public funds

REGULATORY REQUIREMENTS FOR GROUP(LARGE) FAMILY CHILD CARE HOMES

State	Type of Regulation	Number of Children Allowed in the Home
Alabama	Licensing	7 - 12
Alaska	Licensing	9 - 12
Arizona	Certification	5 - 15
Arkansas	Licensing	6 - 16
California	Licensing	7 - 14
Colorado	Licensing	7 - 12
Connecticut	Licensing	7 - 12
Delaware	Self-Certification	7 - 12
District/Columbia	No Classification	----
Florida	No Classification	----
Georgia	Licensing	7 - 18
Hawaii	Registration	7 - 12
Idaho	Certification	7 - 12
Illinois	Licensing	4 - 16
Indiana	Licensing	6 - 12
Iowa	Registration	7 - 11
Kansas	Licensing	7 - 10
Kentucky	Licensing	7 - 12
Louisiana	No Classification	----
Maine	No Classification	----
Maryland	No Classification	----
Massachusetts	Licensing	7 - 10
Michigan	Licensing	7 - 12

State	Type of Regulation	Number of Children Allowed in the Home
Minnesota	Licensing	10 - 14
Mississippi	Licensing	6 - 12
Missouri	Licensing	5 - 10
Montana	Registration	7 - 12
Nebraska	Self-Certification	9 - 12
Nevada	Licensing	7 - 12
New Hampshire	Licensing	7 - 12
New Jersey	No Classification	----
New Mexico	Licensing	7 - 12
New York	Licensing	7 - 12
North Carolina	Licensing	6 - 16
North Dakota	Licensing	8 - 18
Ohio	Licensing	7 - 12
Oklahoma	No Classification	----
Oregon	Certification	7 - 12
Pennsylvania	Licensing	7 - 12 (+3 B/A School)
Puerto Rico	No Classification	----
Rhode Island	Licensing	9 - 12
South Carolina	Licensing/Registration	7 - 12
South Dakota	Licensing	13 - 20
Tennessee	Licensing	8 - 15
Texas	Licensing	7 - 12
Utah	Licensing	7 - 12
Vermont	Licensing	7 - 12

States	Type of Regulation	Number of Children Allowed in the Home
Virginia Islands	Licensing	7 - 12
Virginia	Licensing	6 - 12
Washington	No Classification	----
West Virginia	Certification	7 - 12
Wisconsin	No Classification	----
Wyoming	Licensing	7 - 11

1997 Family Child Care Licensing Study

QUESTION AND ANSWER SUMMARY

Q - How many regulated family child care providers are in the 50 States, the District of Columbia, Puerto Rico and Virgin Islands?

A - The results of this year's *Study* indicate that there are **283,132** regulated family child care homes in the 50 states, District of Columbia, Puerto Rico and the Virgin Islands.** Of that number, **38,046** are GCCH and **245,086** are FCCH.

These numbers depict the continued trend toward more GCCH (+36%) and fewer FCCH (-9%). Overall, the number of regulated homes decreased (-5%). In discussions with some of the states, three factors appear to have a direct relationship to these changes:

(1) several states initiated or increased regulatory fees which resulted in providers not renewing and probably in-persons choosing not to become regulated providers initially.

(2) several states clarified the status of their homes and/or initiated or expanded an exempt category, which resulted in an increase in the number of GCCH and the number of homes not requiring regulation.

(3) several states expanded the time licensing, registration, or licensing is valid from one year to two or three years; and in that process updated their database to purge previous non renewals carried from previous years.

** Puerto Rico and the Virgin Islands, though not included previously, each only added small increases to both the FCCH and GCCH categories.

State	# of FCCH	# of GCCH/LCCH	Total
AK	484	31	515
AL*	3,366	0	3,366
AR	1,295	50	1,345
AZ	1,300	203	1,503
CA	26,770	9,620	36,390
CO	6,230	57	6,287
CT	4,990	92	5,082
DC	236	0	236
DE	1,931	45	1,976

State	# of FCCH	# of GCCH/LCCH	Total
FL*	7,604	0	7,604
GA*	6,309	0	6,309
HI	485	4	489
IA	3,270	1,817	5,087
ID**	512	814	1,326
IL	9,162	197	9,359
IN	0	2,821	2,821
KS	3,573	5,094	8,667
KY	644	154	798
LA	10,000	0	10,000
MA	10,993	0	10,993
MD	12,292	0	12,292
ME*	2,365	0	2,365
MI	13,591	3,431	17,022
MN*	15,559	0	15,559
MO	0	2,651	2,651
MS	1,700	163	1,863
MT	1,193	533	1,726
NC	4,549	275	4,824
ND	1,990	897	2,887
NE	3,481	363	3,844
NH	329	124	453
NJ	4,100	0	4,100
NM	0	233	233
NV**	606	30	636
NY	14,578	2,304	16,882
OH	4,134	47	4,181
OK	4,022	0	4,022
OR	10,950	217	11,167
PA	3,854	632	4,486
PR	194	0	194
RI	708	8	716
SC	2,160	374	2,534
SD	1,176	61	1,237
TN	1,872	646	2,518
TX	12,192	1,668	13,860
UT	2,455	235	2,690
VA**	3,171	1,669	4,840
VI	4	51	55
VT	1,600	20	1,620

State	# of FCCH	# of GCCH/LCCH	Total
WA*	8,725	0	8,725
WI	7,516	0	7,516
WV	4,450	0	4,450
WY	416	415	831
TOTAL	245,086	38,046	283,132

* FCCH and GCCH/LCCH not numerically tracked separately

** Individual city/county certifications or registration are FCCH

Q - How many and what regulatory bodies license, register, or certify family child care homes (required and/or voluntary)?

A - Some have chosen one form of regulation exclusively, while others use a combination of two or more methods, as follows:

20 (38%), require licensing exclusively: **AL, AK, CA, CO, CT, DC, IL, IN, MA, MN, MO, NH, NM, NV, OK, PR, UT, VI WA & WY.**

13 (25%) require a combination of registration and licensing: **GA, FL, KS, ME, MI, NC, NY, PA, SC, SD, TN, TX & VT.**

3 (5%) require registration exclusively: **HI, MD & MT.**

3 (5%) require a combination of certification and licensing: **OH, RI & WI.**

3 (5%) require self-certification/certification only: **AZ, DE & NE.**

2 (4%) requires registration and certification: **OR & WV.**

2 (4%) use a combination of voluntary registration and required licensing: **AR & MS.**

2 (4%) use a combination of voluntary registration and required registration: **IA & LA.**

1 (2%) uses a combination of required licensing and voluntary self-certification: **ND.**

1 (2%) uses a combination of voluntary licensing and required certification: **ID.**

1 (2%) uses voluntary registration only: **NJ.**

1 (2%) uses a combination of voluntary registration, and required registration, certification and/or licensing: **VA.**

1 (2%) uses a combination of required certification or licensing and voluntary certification: KY.

Q - How many and what entities have categories of providers legally exempt from regulation?

A - 39 (64%) have providers legally exempt from regulation: AK, AR, AZ, CA, CO, FL, GA, HI, IA, ID, IL, IN, KY, LA, ME, MO, MS, MT, NC, ND, NE, NJ, NM, NV, NY, OH, OR, PA, RI, SD, TN, TX, UT, VA, VI, VT, WI, WV & WY.

14 (26%) have no legally exempt providers: AL, CT, DC, DE, KS, MA, MD, MI, MN, NH, OK, PR, SC & WA.

Q - How many and what regulatory bodies require providers to furnish them with their social security number?

A - 34 (64%) require the provider's social security number: AL, AR, AZ, CT, DC, DE, GA, IA, ID, IL, KY, MD, ME, MI, MS, MT, NE, NV, NY, OK, PR, SC, SD, TN, TX, UT, VA, VI, VT, WA, WI & WY; also MO requires for the provider, other adult members in the household and children; also RI requires for the provider, assistants, and emergency backup persons.

5 (9%) request but do not require the provider's social security number: HI, MA, NC, OR & PA.

2 (4%) only require a social security number if the provider receives public money: CO & LA (but not CACFP).

12 (23%) do not request nor require the provider's social security number: AK, CA, FL, IN, KS, MN, ND, NH, NJ, NM, OH & WV.

Q - How many and what entities require regulated providers to attend a pre-service orientation session?

A - 23 (43%) require pre-service orientation sessions: AK, AZ, CA, DC, DE, FL, GA, HI, LA(CACFP Recipients), MA, MD, ME(LIC), MI, MT, NE, NY(FCCP), OR(FCCH), SD(GCCH), TN, TX(FCCH), UT, VT & WA.

Q - How many and what entities require CPR training for regulated providers?

A - 33 (62%) require CPR certification pre-service and/or annually: AK, CA, CO, GA, ID(Cities of Lewiston and Pocatello), IL, IN, IA, KY, MA, ME, MN, NC, ND, NE, NH, NM, NV, OH(Type A), OR(GCCH), PA, PR, RI(GCCH), SC(Licensed Only), SD, TN, TX, UT, VA, VI, VT, WA, & WY.

Q - What entities require training for providers? How much/When?

A -

State	FCCH or GCCH	Number of Hours Per Number of Years
AL	FCCH	No preservice; 2 hours per year on-going
	GCCH	16 hours preservice and 3 hours per year on-going
AK	Both	9 hours per year
AR	Both	10 hours per year
AZ	FCCH	No preservice; 6 hours per year on-going
	GCCH	9 hours per year on-going
CA	Both	15 hours in preventative health practices
CO(+)	FCCH	12 hours initial; 6 hours per year on-going
	GCCH	Combination education and experience
CT(+)	FCCH	Preservice 6 hour child care course; no on-going
	GCCH	Documentation of annual continuing education - 1% of hours worked
DC	FCCH	Preservice - Emergency first Aid training only
DE	FCCH	15 hours first year; 12 hours per year after
	GCCH	15 hours first year; 15 hours per year after
FL	FCCH	Preservice - 3 hours basic; no on-going

xx

State	FCCH or GCCH	Number of Hours Per Number of Years
GA	Both GCCH	10 hours per year 4 hours food preparation/ nutrition per year
HI(+)	Both	2 week preservice for non CDA's; on-going amount varies
IA	Both	No preservice; 2 hours the first year (health/safety) 10 hours the second year 2 hours per year thereafter
ID(+)	Both	4 hours per year (if licensed; (see individual cities also)
IL	FCCH GCCH	First aid/CPR only Preservice - 1560 clock hours experience plus 6 hours in relevant topics 6 hours per year on-going
IN	GCCH	No preservice training; CPR/ first aid and Universal Health precautions are only on-going requirement
KS(+)	Both	First aid required; other requirements vary - Combination of education/experience
KY	FCCH GCCH	6 hours preservice and 6 hours per year on-going 12 hours preservice and 12 hours per year on-going
MA	FCCH	15 hours every 3 years

State	FCCH or GCCH	Number of Hours Per Number of Years
MD	FCCH	Preservice orientation + 9 hours preservice training 12 hours every 2 years after
ME	Both	No preservice; 6 hours per year on-going
MI	FCCH	First aid/CPR within 3 years of registration
	GCCH	28 hours within 2 years of licensure
MN	FCCH	9 hours in first year
	GCCH	Combination education and experience
	Both	6 hours per year on-going
MO	GCCH	No preservice 12 hours per year on-going
MS	GCCH	6 hours per year
MT	Both	8 hours orientation
	GCCH	12 hours per year on-going
NC	FCCH	CPR/first aid initial; no on-going
	GCCH	Combination education and experience, up to 20 hours per year on-going
ND	FCCH	9 hours per year
	GCCH	10 hours per year
	Both	CPR/first aid
NE	Both	12 hours per year

State	FCCH or GCCH	Number of Hours Per Number of Years
NH(+)	Both	Preservice - CPR/first aid; also child care vocational course; no on-going
NJ	FCCH	6 hours preservice only for voluntarily registered; and 2 hours per year on-going
NM	Both	CPR/first aid preservice 6 hours per year on-going
NV	Both	3 hours initial 3 hours per year on-going plus CPR/first aid
NY	Both	15 hours first year; 15 every 2 years after
OH(+)	Types B & A	No preservice; Combination of education and experience + first aid/CPR (Type A)
	Type B Limited	None
OK	FCCH	No preserivce; 10 hours per year on-going
OR	FCCH	No preservice; 2 hours in first year only
	GCCH	Combination of experience and training initially; 15 hours per year thereafter
PA(+)	FCCH	No preservice; 12 hours every 2 years on-going
	GCCH	Combination of experience and training initially; 6 hours per year on-going
PR	Both	CPR/first aid only

State	FCCH or GCCH	Number of Hours Per Number of Years
RI(+)	FCCH	Preservice training required, amounts vary 10 hours every two years on-going
	GCCH	8 hours per year on-going
SC	FCCH(licensed only)	15 hours per year + CPR/first aid
SD	FCCH	6 hours every year
	GCCH	10 hours per year
TN	FCCH	Preservice amount varies 4 hours per year on-going
	GCCH	8 hours per year on-going
TX	Both	20 hours per year on-going
UT	Both	2 hour preservice 12 hours per year on-going
VA(+)	FCCH	No preservice; individual cities/counties have yearly requirements
	GCCH	6 hours per year on-going + CPR/first aid
VI	GCCH	No preservice; one on-going workshop per year + CPR/first aid
VT	FCCH	6 hours per year
	GCCH	6-9 hours per year
WA(+)	FCCH	5 hours plus HIV/AIDS initial
	GCCH	Combination education and experience + CPR & HIV/AIDS

State	FCCH or GCCH	Number of Hours Per Number of Years
WI(+)	FCCH	No preservice; 40 hours within first 6 months 15 hours per year on-going
WV	FCCH	No preservice; health and safety training twice per year on-going
WY	Both	No preservice; 8 hours per year on-going

+ see specific state for explanation

Q - How many and what entities require a provider/infant ratio of 1:2; 1:3 or 1:4 for regulated providers? [Remember, many places have legally exempt categories of providers or a voluntary regulatory process. For these non-regulated providers, the provider/infant ratios will be significantly greater.]

A - 16 (30%) have a 1:2 provider/infant ratio: **CT, DC, HI KY(GCCH), MD, MI, NH, NM, NY, PA, PR, WA, WV & WY**; also **NV** has a 1:2 ratio for infants under 12 months with 1:4 under 24 months; and **NE** has a 1:2 ratio with mixed ages, but 1:4 for infants only.

9 (17%) have a 1:3 ratio: **DE, GA, KS, MA, MN, OH, UT, VI & VT.**

3 (5%) have a 1:3/4 ratio: **CA, MO & WI.**

14 (26%) have a 1:4 ratio: **CO, FL, IA, IL, IN, KY(FCCH), ME, MT, ND, OR, RI, TN,** TX & VA(GCCH).

Q - What is the minimum age requirement of children accepted for care in family or group family child care homes? [In many places, there is no definitive information in the regulations about the minimum age. Where no specific information is indicated, it has been assumed that the minimum age is birth.]

A - The following entities stated the minimum age as 6 weeks: **AK, DC, ME, NE, NH, NY, OR,** and **TN.**

All others either indicated birth or defined no minimum: AL, AR, AZ, CA, CO, CT, DE, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MA, MD, MI, MN, MO, MS, MT, NC, ND, NJ, NM, NV, OH, OK, PA, PR, RI, SC, SD, TX, UT, VA, VI, VT, WA, WI, WV & WY.

Q - How many and what entities require unannounced inspection/ monitoring visits in response to a filed complaint?

A - 33 (62%) require unannounced inspection/monitoring visit after a complaint has been filed: AL, AZ(GCCH), CA, CO, CT, DC, DE, GA, HI, IL, KS, KY, MA, ME, MI, MO, MS, NC, ND, NE, NH, NM, NV, NY, OK, PR, RI, SC, UT, VI, VT, WI & WY.

20 (38%) require either announced or unannounced inspection/monitoring visits when a complaint has been filed: AK, AR, AZ(FCCH), FL, IA, ID, IN, LA, MD, MN, MT, NJ, OH, OR, PA, SD, TN, TX, VA & WA.

No information available: WV.

Q - How many and what entities have smoking policies in regulated family or group family child care homes?

A - 10 (9%) permit smoking with restrictions: AL, CT, KY(GCCH), ME, NJ, NV(FCCH), SD(GCCH), TN(GCCH) & VT(FCCH).

15 (28%) permit smoking with no restrictions: DC, FL, IA, ID, IN, LA, NC(FCCH), NV(FCCH), OR(FCCH), RI, SC, TN(FCCH), VI, WV & WY.

37 (70%) do not permit smoking: AK, AR, AZ, CA, CO, DE, GA, HI, IL, KS, KY(FCCH), MA, ME, MI, MN, MO, MS, MT. NC(GCCH), ND, NE, NM, NH, NV(GCCH), NY, OH, OK, OR, PA, PR, SD(FCCH), TX, UT, VA, VT(GCCH), WA & WI.

Q - How many and what entities require regulated providers to reside in the home in which family child care is being provided?

A - 24 (45%) require FCCH and GCCH providers to reside in the home in which care is provided: AL, AR, CA, CO, DC, FL, HI, IL, KY, ME, MI, NC, NH, NJ, NV, OH, OK, OR, PR, RI, SC, VT, WA & WV.

7 (13%) only require FCCH providers to reside in the home in which care is provided: DE, KS, LA, NE, SD, PA & TX.

22 (42%) have no provider residence requirement: AK, AZ, CT, GA, IA, ID, IN, MA, MD, MN, MO, MS, MT, ND, NM, NY, TN, UT, VA, VI, WI & WY.

Q - How many and what entities track denials and/or revocations of licenses and/or registration/certification certificates?

A - 44 (53%) have a tracking system for denials and/or revocations: **AK, AL, AR, AZ, CA, CO, CT, DC, DE, GA, HI, IL, IN, KS, KY, LA(FCCH), MA, MD, MI, MN, MO, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH(GCCH), OK, OR, PA, PR, SD, TN, TX, UT, VA, VT, WA, WI & WY.**

8 (15%) do not track denials and/or revocations: **FL, IA, ID, ME, MS, RI, SC & VI.**

No information available: **WV.**

ALABAMA (AL)

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Number of Regulated Homes

- **3,366** family and group child care homes.
- Information on the ratio of the number of homes to licensor is not available; each of the 67 counties licenses the homes and group homes in its county.

Definitions and Regulatory Requirements

- Requires licensing; no fee; renewal every two years.
- Provisional licenses are not issued under any circumstances.
- Social security number of provider is required.
- The terms "regular" or "regularly" are not defined.
- "Relative Care" is not specifically addressed in licensing standards. Persons caring for related children are not required to be licensed. Legal definition of "related" is any of the following relationships by blood, marriage or adoption: parent, grandparent, brother, sister, stepparent, stepbrother, stepsister, halfbrother, halfsister, uncle or aunt, and their spouses.
- Staff/child ratio is 1:6; family members not included.
- Licensee must reside in the home.
- Liability insurance not required.
- Substitute caregiver system required before licensing; substitute caregiver not required to be licensed.
- No space requirement.
- **Group Family Child Care Homes:**
  - Staff/child ratio is 2:12 ratio.
  - 32 sq. ft. of space per child.

Unannounced Inspection Procedure

- Homes inspected before license is granted; subsequent on-site visits annually; no advance notice required for on-site visit.
- When an allegation of a licensing violation is filed, county DHR worker visits, unannounced, to investigate the allegation.

Tracking of License Denials and Revocations

- Number of homes where licenses have been denied or revoked is tracked individually in each of the 67 counties.

Complaint Procedure

-To file complaint, contact county DHR responsible for licensing.

-Depending upon severity, consequences could lead to a probationary permit, suspension, or revocation of the license.

Provider Qualifications

-Provider must be at least 19 years old.

-Provider and all family members involved with the child are required to have an initial physical exam and a follow-up every 4 years.

-Three written references required before licensing.

-No criminal record checks are done unless provider or anyone in the household admits to being convicted of a criminal offense.

-No requirement for providers to have current immunizations, especially MMR, HIB or TB; no requirement for other adults in the household.

Provider Training and Orientation

-Licensing includes a training requirement - 16 hour pre-service for GCCH, but none for FCCH; on-going - 2 hours per year for FCCH and 3 hours per year for GCCH; documentation required.

-Orientation for prospective providers not required but is conducted in some counties.

-CPR and First Aid are not required, but could be part of training listed above.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Providers required to have parents sign emergency medical form, but it is not required that this form be notarized.

Environmental Policy

-Testing for the presence of lead, asbestos and/or radon is not a requirement of licensing.

-No financial assistance is available for the inspection of and remediation in family child care homes for the presence of lead, asbestos and/or radon.

-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children

-Children in family child care homes are required to have age appropriate immunizations.

-Provider's responsibility to see that child's immunization record is current and accurate.

-Blood lead level screening is not required for children prior to acceptance into a family child care home.

National Life Safety Fire Code Policy

-Department does not conduct fire inspections.

Nutrition Policy

-AL Department of Education is state sponsor for USDA CACFP.

-FCC and group homes must provide nutritious meals and snacks each day.

Smoking Policy
-Smoking is allowed with restrictions.
-In FCC smoking may not take place in the presence of children, in area of food storage, and preparation or service.
-In group homes, smoking is prohibited in the presence of children.

Before and After School Programs
-Licensing law prohibits any time overlap period when before and after school children are integrated into homes caring for preschool children if the additional children result in the provider exceeding the licensed capacity. Child/staff ratios must be maintained at all times.

Infant Care Programs
-No separate special regulations.

Programs for Children with Disabilities
-No separate special regulations.

Sick Child Care Programs
-No separate special regulations.

Zoning Regulations
-Day care homes must comply with local ordinances.

Available Resources
-Child Nutrition Program, County Day Care Coordinating Councils, orientation/training provided by some counties, information on local, state and national organizations.

Local Contact
-County Departments of Human Resources.

Pending/New Legislation
-None.

ALASKA (AK)

Information
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Division of Family & Youth Services
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Number of Regulated Homes

-**484** licensed family child care homes.
-**31** licensed group homes.
-An estimate of the ratio of the number of homes to licensor is 125:1; optimum would be 100:1.

Definitions and Regulatory Requirements

-Licensing is required for 5 or more unrelated children; no fee; individuals caring for 4 or fewer children are exempt from regulation.
-Also exempt: "a person caring for a child on an irregular basis of less than one day a week for fewer than 5 consecutive weeks."
-"Relative Care" is defined as an individual who is related to another through any of the following relationships, by blood, adoption, or marriage: parent, grandparent, great grandparent, brother, sister, stepparent, stepsister, stepbrother, cousin, aunt, uncle, great-aunt, great-uncle or step-grandparent.
-Licenses renewed biennially through reapplication/annual monitoring.
-Social security number of provider not required.
-Provisional licenses are issued during the initial year of licensing and when a facility is temporarily unable to meet a requirement.
-FCCH provider may care for maximum of 8 children; maximum of 3 may be under 30 months of age (no more than 2 non-ambulatory children), regardless of ages of other children for whom care is provided.
-Licensee not required to reside in the family child care home.
-Liability insurance not required.
-Substitute providers may be arranged; substitutes must meet same requirements as primary providers unless substitutes are providing care in the case of an emergency. There must be emergency care arrangements.
-Group Family Child Care Home:
  -2 caregivers may care for 9-12 children; only 5 under 30 months; only 4 non-ambulatory; includes children related to the provider.
  -Annual self-monitoring report.

Unannounced Inspection Procedure

-Inspections of day care homes occur before licensure; subsequent visits are mandated biennially and normally occur annually -- announced and unannounced visits occur.

Tracking of License Denials and Revocations

-Have instituted tracking of denials and revocations.

Complaint Procedure

-To file a complaint, report to the AK Division of Family and Youth Services.
-When an allegation has been filed, DFYS investigates and may inspect facility (announced or unannounced), review records; interview staff, children, parents; and seek a search warrant.
-Consequences depend upon the seriousness of the violation and can include anything from a plan of correction to revocation of license to immediate closure.

Provider Qualifications

-FCCH and GCCH provider must be 18 years old; GCCH administrator: 21 years; FCCH administrator: 18 years.
-Physical exams required of prospective providers only if deemed necessary.
-No other proof of immunizations are required for provider or other adult household members.
-Three positive written references required.
-Potential providers and other adults in home must sign statement verifying that they have no criminal record, child abuse, domestic violence problem, physical, health, mental health or behavior problem that might pose a risk to children, and no license revocation or denial.
-Criminal history background check is required for FCCH and GCCH administrators, and for each adult occupant of the household.

Provider Training and Orientation

-FCCH and GCCH complete first aid and CPR training prior to licensure; no other pre-service training is required.
-9 hours training per year required related to caregiver's primary "job responsibility."
-Orientation is provided for potential providers who reside in large communities - licensing regulations and process included.
-Training is offered by some profit and nonprofit groups in the more populated sections of AK; it is difficult to have uniform training regulations because of population dispersement.
-Special training is periodically offered for providers who include children with disabilities in their care, but is not required.

Discipline Policy

-Corporal punishment is limited; requires written parental consent and a report to the parent of each spanking a child receives.

Emergency Medical Consent Policy

-Parents are required to sign emergency information cards, but giving emergency medical consent is optional; they are not required to be notarized.

Environmental Policy

-Regulations do not require testing for the presence of lead, asbestos and/or radon as a condition of licensure.
-Well water is tested for bacteria.

-No information available about the availability of financial assistance for the inspection of or remediation in facilities for the presence of lead, asbestos and/or radon.
-State regulations do not address pesticide use near family child care homes in rural areas.

Immunization Policy for Children

-Homes must keep immunization records for each child in care.
-Screening for blood lead levels not required for acceptance into licensed facilities.

National Life Safety Fire Code Policy

-Not adopted.

Nutrition Policy

-Complies with CACFP guidelines.
-USDA CACFP sponsored by AK Department of Education.

Smoking Policy

-Smoking is not allowed whenever children are in care.

Before and After School Programs

-No overlap period allowed when integrating before and after school children in home caring for preschoolers; required child/staff ratios maintained at all times.

Infant Care Programs

-No separate special regulations.
-No infant walkers.

Programs for Children with Disabilities

-Special training occasionally offered but not required.
-Providers must comply with the ADA.

Sick Child Care Programs

-A child care facility may not admit a child who shows symptoms of serious illness or highly communicable disease.
-The provider should notify parent if child becomes too ill to remain in facility so child may be picked up as soon as possible.
-A facility that allows mildly ill child to remain in facility shall provide a place where child may rest or play quietly apart from other children, yet under adult supervision.
-A facility shall inform parent if child is exposed to communicable disease or contagious conditions.
-A facility shall take precautions to reduce risk of spread of disease.

Zoning Regulations

-FCCH and GCCH must comply with local ordinances.

Available Resources

-Orientation, technical assistance.

Local Contact

-Alaska Division of Family and Youth Services, Department of Health and Social Services, (907) 465-3207.

Pending/New Legislation

-Amendments to licensing regulation will take effect during 1997. A significant amendment will be prohibiting all corporal punishment, including spanking.

ARIZONA (AZ)

Arizona has two regulatory agencies for family child care: The Department of Economic Security regulates providers caring for 1-4 children, and the Department of Health Services regulates providers caring for 5-10 children for compensation. Each agency is listed separately.

Arizona Department of Economic Security

Information Supplied By:

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Number of Regulated Homes

-1,300 family child care homes.
-The average ratio of providers to licensor is 77:1; this is based on time actually spent in certification duties.

Definitions and Regulatory Requirements

-Certification required for FCCH caring for DES subsidized children; no fee; renewable each year. Exception: Those clients qualifying under JOBS, TCC, TANF, employment and CCDBG requirements may elect to use the services of relative providers who are not required to be certified.
-Provisional certificates are not available.
-The terms "regular" or "regularly" are not defined.
-"Relative Care" means providers who are grandparents (including great grandparents), aunts, uncles (including great aunts and uncles) who are not otherwise required to meet statutory regulatory requirements, shall meet health and safety requirements.
-Providers shall certify that they are not awaiting trial nor have ever been convicted of or admitted committing any criminal offenses specified in state statute and they have not committed any act of sexual abuse of a child.
-Social security number of provider is required for tracking and to send out 1099 forms.
-Provider may care for a maximum of 4 children at any one time children birth through age 12 for compensation.
-FCCH must indemnify, and save harmless the State of Arizona and its departments, agencies, boards and commissions and all officers, agents, and employees from

any and all claims, demands, suits, actions, proceedings, loss, cost and damages of every kind and description including any attorney's fee and/or litigation expenses, which may be brought or made against or incurred by the State of Arizona on account of loss of or damage to any property or for injuries to or death of any person, caused by, arising out of, or contributed to, in whole or in part by reasons of any alleged act, omission, professional error, by it, any employee, agent, or any representative or subcontractor, their employees, agents, or representatives in connection with or incident to the performance of the Agreement.

-FCCH shall name the State of Arizona as an additional insured.

-Provider is not required to reside in the home; however the home must meet the safety/sanitation standards, and the certificate holder must be the primary caregiver.

-Names of substitute caregivers must be submitted to DES upon certification of family child care providers; these caregivers are back-up providers and must have criminal record check and be fingerprinted.

-Space requirements: No specific square footage requirements for certification of family child care homes; family child care home space must be adequate. The certification worker may decide to reduce the number of children allowed to be cared for in the home because of size of the home, size of the rooms, etc.

Unannounced Inspection Procedure

-Home inspections occur prior to certification; there are a minimum of two yearly visits, announced or unannounced.

-On-site investigations are conducted due to any complaint which seriously affects health and safety of children in care or which presents immediate danger to children. On-site visits may be announced or unannounced, as appropriate to the situation.

Tracking of Certificate Denials or Revocations

-All suspensions and revocations are tracked.

-All revocations are permanent.

Complaint Procedure

-All complaints against family child care homes that have a registration agreement with DES are logged and investigated by DES as warranted. Complaints alleging abuse or neglect of children are referred to and investigated by Child Protective Services.

-Immediate consequences may result in suspension which involves removal of all DES-subsidized children for the length of the investigation and may result in revocation of certification.

Provider Qualifications

-FCC provider must be at least 18 years of age.

-Applicant must furnish proof for self and backup and all household members of freedom from disease for which routine immunizations are available; immunizations including a TB screening must be current.

-Three references required.

-Criminal record check and fingerprint check required of prospective provider and family members and other household residents age 18 or older and back-up providers; fee is presently $24/person, which provider must pay.

Provider Training and Orientation

-Orientation session is required for DES and DHS perspective providers which includes some health and safety, emergency procedures, state rules, nutrition, child growth and development.

-Provider required to complete 6 clock hours per year including child health and safety; prevention of illness and disease; CPR and first aid; child abuse prevention, identification, reporting; positive guidance and discipline; child nutrition; developmentally appropriate practice and communication with family.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Forms required, but do not have to be notarized.

Environmental Policy

-Testing for the presence of lead, asbestos or radon is not a condition of certification; financial assistance for the inspection and/or remediation of the presence of lead, asbestos and/or radon is not available.

-State regulations do not address issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children

-Immunizations and record of them required, or exemption affidavit.

-Provider required to maintain current records.

-Blood screening for lead levels prior to acceptance into a family child care home is not required.

National Life Safety Fire Code Policy

-Not adopted.

Nutrition Policy

-AZ Department of Education is state sponsor for USDA CACFP.

-Provision of nutritious meals and snacks to children is required.

Smoking Policy

-Tobacco and smoke-free environment required while children are in care.

Before and After School Programs

-No separate special regulations.

-No regulations which provide for time overlap for before and after school children; child/staff ratios must always be maintained.

Infant Care Programs

-FCCH may care for no more than 2 children under the age of 1 year at any time.

Programs for Children with Disabilities

-Providers must comply with ADA requirements.

Sick Child Care Programs

-No separate special DES regulations.

-DES policy allows care of a child with a contagious illness when plans are based on competent medical advice and other children will not be endangered. A child who becomes ill while in care is to be isolated. The provider must notify the parent or responsible person as soon as possible.

-Provision of medical treatment is responsibility of parent/guardian. Emergency medical care plans are to be worked out between the parent and provider.

Zoning Regulations

-FCCH must comply with local ordinances; local jurisdictions responsible for enforcement.

Available Resources

-Arizona Association of Family Child Care, the Center for Family Child Care Resources, Southern Arizona Family Child Care Association, local child care resource and referral organizations.

Local Contact

-Day Care Group Home Certification-Department of Health Services, Office of Child Day Care Licensure.

-Family Child Care Home Certification-Department of Economic Security, Division of Employment and Rehabilitation, Child Care Administration.

Arizona Department of Health Services Regulations*

Information
Supplied By:

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Health & Child Care Review Services
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Number of Regulated Homes

-203 group family child care homes.
-Ratio of licensors to providers: 1:75 (includes homes and centers).

Definitions and Regulatory Requirements

-DHS certifies group homes in Arizona. These certified group home providers may care for up to ten children from birth through age 12 not related to the provider, at any one time, and there may be a total of 15 children in care at one time, including children related to provider.
-Social security number of the provider is required.
-No information regarding provisional certification.
-Provider who cares for 5-10 children at a time for compensation (residential facility) certified as a Group Home or a provider caring for more than 10 children for compensation (residential facility); more than 4 (non-residential) must be licensed by DHS.
-One caregiver for each 5 children; no age specific child/staff ratios.
-Certification good for 3 years; fee $30.
-Certified provider not required to reside in the home; however, this is under review.
-No information about definition of the term "regular."
-No information about definition of "Relative Care."
-Liability insurance required with a minimum limit of $100,000.
-Space requirements: inside - 30 sq. ft. open space per child; outside - 80 sq. ft. fenced space per child.
-Fire and gas inspection.
-Minimum program and equipment standards.
-Special swimming pool requirements.
-Play area must be fenced.

Unannounced Inspection Procedure

-Minimum of 2 inspections during the first year; minimum of 2 unannounced per year thereafter.

Tracking of Certification Denials or Revocations

-Both denials and revocations are tracked.
-All legal actions are maintained in the database and files retained for 6 years.

Complaint Procedure

-To file a complaint, the department must be contacted in writing, in person or orally.

-When a complaint is filed, an unannounced monitoring visit is made; information is gathered by interviewing the provider and concerned parties; a detailed report is compiled.

-The immediate consequences are more frequent monitoring, enforcement meetings, hearings and revocation of certificate.

Provider Qualifications

-High school or equivalent required.

-Minimum age requirement for provider is 21.

-References on all staff required.

-Provider shall retrain and keep current the following information about child care personnel and all household members: proof of negative tuberculin skin test or chest x-ray; name, address and phone number; first aid and CPR certificates; verification of compliance with A.R.S.; date of employment or volunteer assignment; in addition for a written statement by the staff member or volunteer, on Department approved forms, testifying to immunity to measles, rubella, diphtheria, tetanus and polio.

-Individuals who were born before January 1, 1957 shall be considered immune to measles and therefore exempt from the measles immunization.

-All adults in home and staff required to be fingerprinted, registered with department, and background checked.

Provider Training and Orientation

-9 hours annual training required to include child development, programming, nutrition, abuse and neglect, health and safety procedures, positive guidance, community services, and family involvement and communication.

-4 hour orientation required.

-CPR and first aid is a separate training requirement.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Form is required, but does not have to be notarized.

Environmental Policy

-Testing for the presence of lead, asbestos or radon is not a condition of licensing or registration; financial assistance for the inspection for or remediation of the presence of lead, asbestos and/or radon is not available.

-No information about use of pesticides near family child care homes in rural areas.

Immunization Policy for Children

-Immunizations and record of them required or exemption affidavit.

-Provider required to keep current records.

-Blood screening for lead levels prior to acceptance into a family child care home is not required.

National Life Safety Fire Code

-Not adopted.

Nutrition Policy

-AZ Department of Education is state sponsor for USDA CACFP.
-Requires a varied menu of foods from within each food group to be served; minimum meal components and serving sizes as established by the National Research Council (RDA).

Smoking Policy

-Smoking is not allowed while providing child care.

Before and After School Programs

-No separate regulations.
-No provision for overlap time; child/staff ratios must be maintained.
-Supplemental equipment standards for school-age children.

Infant Care Programs

-No separate regulations.
-Supplemental program and equipment standards for infants and children 2 years of age and younger.

Programs for Children with Disabilities

-No separate regulations.
-Supplemental program and equipment standards for children with disabilities.
-Providers must comply with the ADA.

Sick Child Care Programs

-Provider shall not accept or allow ill children. A child who becomes ill while in care is to be isolated. Provider must notify parent or the responsible person as soon as possible.

Zoning Regulations

-Must comply with all local ordinances; local jurisdictions responsible for enforcement.

Available Resources

-Arizona Association of Family Child Care, Center for Family Child Care Resources, Southern Arizona Family Child Care Association, local child care resource and referral organizations.

Local Contact

-Day Care Group Home Certification - Department of Health Services, Office of Child Day Care Licensure.
-Family Child Care Home Certification - Department of Economic Security, Division of Children and Family Services, Child Care Administration.

Pending/New Legislation

-None.

* Information from *1996 Family Child Care Licensing Study*

ARKANSAS (AR)

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Number of Regulated Homes

- **816** licensed family child care homes.
- **479** registered family child care homes.
- **50** (approximate) large family child care homes.
- Ratio of the number of providers to licensor varies according to area of the state; average ratio is approximately 70:1.

Definitions and Regulatory Requirements

- Voluntary Registration available for homes exempt from licensure (homes caring for 5 or less children).
- Part time programs are identified as 10 hours or less per week; anything different from this would be considered regular services.
- State regulations do not define "relative care."
- Social security number of providers is required.
- One year provisional licenses can be issued for new operations and the possibility exists for a time-limited provisional license at renewal to bring home into full compliance.
- One provider may care for up to 10 children in FCCH if all are over age 3; if 2 children are under age 2, maximum of 7 permitted in FCCH.
- Preschool family members included in all ratio numbers.
- Licensed or registered provider must reside in the home; currently under review.
- Liability insurance not required, highly recommended.
- Substitute caregivers required before licensing; do not have to be licensed.
- Space requirements: 35 sq. ft. indoors; 75 sq. ft. outdoors.
- **Large Family Child Care Homes:**
  - Licensing required if provider cares for 6 or more children from more than one family; fee is $15 annually and goes to cover the cost of the background check; license period is open-ended, but only after facility has completed a new one year provisional period.
  - Can be licensed for up to 16 children.
    - Provider/child ratios:
      - 2: 10-14 (with no more than 4 children under 2 years).
      - 2: 15-16 (with no more than 2 children under 2 years).
  - Health and fire approvals mandatory if licensed for more than 10.

Unannounced Inspection Procedure

-FCCH inspected before licensure; subsequent inspections 3-4 times per year conducted at random, announced and unannounced.

Tracking of License/Registration Denials or Revocations

-Both denials and revocations are tracked for 7 years.

Complaint Procedure

-Licensing complaints investigated within 30 days; if abuse alleged, special investigative unit and licensing conduct a joint investigation. A corrective action plan is required (or adverse action taken).

Provider Qualifications

-FCC provider must be 21 years of age or older; although some exceptions are granted after special consideration.
-Annual physical exam required of provider and adult family members living in home.
-No requirements regarding provider immunizations or those of other adult members of the household.
-Three written references required for licensing.
-Criminal record checks.
-Fingerprinting required only for persons residing in the state for less than 6 years.
-Child abuse registry check required.
-Increased prohibition from ownership/operator/employee to include drug manufacture or delivery, or any felony invoking violence.

Provider Training and Orientation

-10 hours of annual training required for both FCCH and GCCH and must be in the area of early childhood.
-No formal orientation program for potential providers.
-No preservice training required. Self-instructional Child Care Training Modules available from the Division; 20-hour basic orientation class available from Vo-Tech Education.
-CPR/First Aid is not a separate requirement from the training described above.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Form is required, but it does not have to be notarized.

Environmental Policy

-Testing for the presence of lead, asbestos or radon is not a condition of licensing or registration; testing would be required if a problem is suspected.
-Financial assistance for the inspection for or remediation of the presence of lead, asbestos, and/or radon is not available; some grant money might be available for renovation.
-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children
-All children must have age appropriate immunizations prior to attending a family child care home.
-Blood screening for lead levels prior to acceptance into a family child care home is not required.

National Life Safety Fire Code
-Not adopted through licensing; state enforces for more than 10 children.

Nutrition Policy
-Agreement between DCFS and nutrition monitors to provide DCFS with monitoring reports to help insure provider compliance with regulatory standards on a day-to-day basis.

Smoking Policy
-Smoking should be limited to hours children are not in care.

Before and After School Programs
-No special regulations.
-Providers are allowed 2 school age children above capacity for a short term before and after school.

Infant Care Programs
-When infants are in care, numbers reduced and health, safety and handwashing are addressed; staff-child ratios 1:6.
-Infant must be supervised at all times.

Programs for Children with Disabilities
-Staff/child ratios require increased staff to meet child's needs.
-Complies with the requirements of the ADA.

Sick Child Care Programs
-Regulated by use of "Alternative Compliance" - meets intent of regulation or exceeds the regulations.

Zoning Regulations
-FCCH must comply with local ordinances.

Available Resources
-Arkansas Early Childhood Commission.

Local Contact
-Division of Child Care and Early Childhood Education.

Pending/New Legislation
-Raise the age requiring children to be transported in child safety seats to include 3 year olds.
-Legislation passed to create a new division: Division of Child Care and Early Childhood Education.

CALIFORNIA (CA)

Information
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Community Care Licensing Division
Central Operation Branch
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Number of Regulated Homes

-**26,770** small family child care homes.
-**9,620** large family care homes.
-Licensing Analyst-provider ratio: 1:358.

Definitions and Regulatory Requirements

All Family Child Care Homes (small and large):

-Providers must be licensed; $25 application fee for small family child care homes (FCCH); $50 for large FCCH homes, paid on a yearly basis (exempt from licensing if caring only for one other family's children other than provider's own).

-Terms "regular" or "regularly" are not used in FCC regulations and therefore not defined; duration or regularity of providing child care is not considered when determining if a person must be licensed or not.

-"Relative Care" is defined as spouse, parent, stepparent, son, daughter, brother, sister, stepbrother, stepsister, half-brother, half-sister, uncle, aunt, niece, nephew, first cousin, or any such person denoted by the prefix "grand" or "great" or the spouse of any of these persons specified in this definition, even after the marriage has been terminated by death or dissolution.

-Social security number of provider is not required.

-Regulations include section on parental involvement, which states that parents have access to their children at any time.

-Space requirement: None.

-Licensee must reside in the home.

-Liability insurance: Following alternatives must be followed:
  1) Aggregate amount of $300,000 with at least $100,000 per occurrence, or
  2) $300,000 bond (annual aggregate), or
  3) Signed affidavit from each parent acknowledging that provider has neither insurance nor a bond.
  4) If the FCCH provider does not own the premises in which care is provided, then the provider must advise the parents that the owner of the property or the homeowner's association may not provide insurance coverage for losses arising in connection with the FCCH.

-Working fire extinguisher & smoke alarm that meet Fire Marshall's standards.

-Small Family Child Care Homes: Maximum capacity - 6 or 8.

-If licensed for 6, a provider may care for no more than 3 infants or 4 infants

only (0-2 years).
- If licensed for 8, 2 children must be at least 6 years of age and no more than 2 may be infants.
- Licensee's children under the age of 10 are counted in the capacity.
- Landlord or property owner consent is required for a capacity of 8.

-**Large Family Child Care Homes:** Maximum capacity - 12 or 14.
- If licensed for 12, no more than 4 may be infants (0-2 years).
- If licensed for 14, 2 children must be at least 6 years of age and no more than 3 may be infants.
- Assistant is required when capacity exceeds 8; assistant must be at least 14 years of age.
- Licensee's and assistant provider's children under age 10 are counted in the capacity.
- Landlord or property owner consent is required for a capacity of 14.
- Required to have a fire clearance from the State Fire Marshall or local fire jurisdiction.
- Required to have one year experience as a licensed small FCC provider or as an administrator of a licensed day care center.

Unannounced Inspection Procedure

- In FCCH,licensing requires an announced inspection before a license is granted; subsequent unannounced visits every 3 years and on the occasion of a complaint.
- Unannounced visits are made to an additional 10% of FCCH's annually.
- When a complaint is filed, unannounced complaint visit is made within 10 days of receipt.

Tracking of License Denials or Revocations

- License denials and revocations are tracked for one year.

Complaint Procedure

- May be in writing, by phone or in person.
- If substantiated, deficiency is cited and a plan of correction is developed; failure to correct may result in a civil penalty assessment of $25.

Provider Qualifications

- Provider must be at least 18 years old.
- No physical exam except a TB test is required.
- Other adult immunization not required; references not required.
- Criminal record check, fingerprinting and a Child Abuse Index check are required for every person 18 years of age or over who lives, or is regularly present in the provider's home; no fee for the fingerprint check, but there is a $15 fee for the Child Abuse Index check conducted by CA Department of Justice.

Provider Training and Orientation

- Licensees of family child care homes are required to have at least 15 hours of training in preventative health practices including pediatric CPR and pediatric first aid.
- Orientation sessions for FCC providers conducted by state and county licensing offices; consists of an overview of licensing procedures, regulations, community services, and how to fill out the license application.

Discipline Policy
-Corporal punishment prohibited; methods of discipline discussed at orientation and before license is approved.

Emergency Medical Consent Policy
-Form is required, but it does not have to be notarized.

Environmental Policy
-Testing for the presence of lead, asbestos and/or radon is not a condition of certification; financial assistance in the inspection for or remediation of the presence of lead, asbestos and/or radon is not available.

-CA Code of Regulations Title 22 only address the storage of household poisons; CA Environmental Protection Agency, Department of Pesticide Regulation, is responsible for monitoring the use of pesticides around children (such as in family child care homes in rural areas).

Immunization Policy for Children
-Prior to enrollment, all children must be immunized.

-Blood screening for lead levels prior to acceptance into a family child care home is not required.

National Life Safety Fire Code Policy
-Not adopted.

Nutrition Policy
-CA Department of Education, Child Nutrition and Food Distribution Division is state sponsor for USDA CACFP.

Smoking Policy
-Smoking is prohibited in licensed child day care facilities when day care children are present.

Before and After School Programs
-May increase license capacity by 2 (6 to 8, or 12 to 14) provided 2 extra children are schoolage (6 years of age or older).

Infant Care Programs
-No separate special regulations.

Programs for Children with Disabilities
-No separate special regulations.

-Providers must comply with the ADA.

Sick Child Care Programs
-If child shows signs of illness, the child shall be separated and nature of illness determined.

-If a communicable disease is determined, then the child shall be separated until the infectious stage is over.

Zoning Regulations
-FCCH considered residential use of property for purposes of zoning.

-Law prohibits specific zoning against LFCCH, but are subject to special use permits in some areas. Fees have ranged from $300-1,600.

Available Resources

-Resource and referral agencies (R&R's) help parents find child care, offer training and materials for parents, providers, etc.

-State and local family child care associations; support, training, information exchange, etc.

Local Contact

-The state contracts with 12 counties to perform the licensing tasks for family child care. If a county contracts with the State of California, the potential family child care provider would contact the County Welfare Department; otherwise they would have to contact the nearest CA Community Care Licensing District Office.

Pending/New Legislation

-Proposed legislation would prohibit the use and storage of a full-size or non-full size crib that is unsafe for infants.

COLORADO (CO)

Information
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Office of Child Care Services
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Denver, CO 80203-1714
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Number of Regulated Homes

- 6,230 family child care homes.
- 57 group child care homes.
- Licensor-provider ratio: as low as 1:250 in some contract counties and as high as 1:450 for state staff in metropolitan area.

Definitions and Regulatory Requirements

- Licensed - providers who care for 2 or more children from more than 1 family on a regular basis; annual fee is $16, used to fund some State child care licensing staff positions.
- "Regular" means that there is a defined pattern to the care (ex: once a week, every Tuesday and Thursday, etc.)
- Licenses issued as 6 month original provisional or as a permanent non-expiring.
- One provisional license may be issued for 6 months to allow time for the provider to obtain pre-licensing training, and build a fence around the outside play yard.
- "Relative Care" (termed "related") is defined in state law to mean any of the following relationships by blood, marriage or adoption: parent, grandparent, brother, sister, stepparent, stepbrother, stepsister, uncle, aunt, niece, nephew, or cousin.
- Social security number is asked for on the application form and is required to be on file for any provider who receives a government child care payment.
- Staff ratio is 1:6 including family members plus an additional 2 before and after school children; infant/toddler home staff child ratio is 1:4 or 2:6.
- Licensed provider must reside in the home.
- Liability insurance not required; only if state pays for children.
- Substitute caregiver required; need not be licensed.
- Space requirements: inside - 35 sq. ft./child; outside - 75 sq. ft./child.
- **Group Family Child Care Homes:**
  - 7 to 12 children; staff/child ratio is 1:6.
  - Licensing fee is $24.

Unannounced Inspection Procedure

- FCCH inspected before licensing: one unannounced supervisory visit or according to a risk-based variable visit schedule in process of being developed by the Department, or whenever there is a complaint.

-Nationally accredited homes would be visited once every 3 years under variable visit schedule.
-When a complaint is filed, an unannounced visit occurs; seriousness of the allegation will determine response time; only licensing violations are investigated.
-Immediate consequences are that violations must be corrected within a set time frame; intermediate consequences are that license can be changed to probationary and/or fines can be assessed; long term - license can be revoked.
-Licenses must be revoked through an administrative procedure prescribed by law. Hearings are held in front of an Administrative Law Judge of the Department of Administration.

Tracking of License Denials and Revocations

-Denial of licenses, license suspensions and revocations are tracked.

Complaint Procedure

-To file a complaint, call the Office of Child Care Services at (303) 866-5958.
-Complaint must provide a name and telephone number; anonymous complaints are not accepted.

Provider Qualifications

-Provider must be at least 18 years old.
-Initial physical exam followed by exams as required by their physician are required of the provider and family members at the home; husband and teenage children excluded if they are not regularly a part of child care.
-CO law has no immunization requirements for adult providers other than those required by their own personal physicians.
-Name of provider and persons living in home are screened with the child abuse registry.
-Criminal record check required of provider and family member or employee in the FCCH that is 18 years of age or older.
-If provider (or employee or family member) has lived in the state less than two years, then FBI criminal records check required.

Provider Training and Orientation

-FCCH: 12 hours of training and first aid and infant/child CPR (and adult CPR if caring for children over 8 years of age) certification required when initially licensed (must be kept current); 6 additional hours required every year.
-GCCH: 3 years experience in group care homes or as a licensed child care provider; or 2 years college education plus one year experience in group care homes; or certification as a Child Development Associate (CDA); or 40 clock hours of training and 2 years experience as a licensed child care provider and 2 years experience on a group child care home.
-Orientation for prospective providers not required but occurs in some counties.

Discipline Policy

-Corporal punishment prohibited; discipline must be constructive or educational.

Emergency Medical Consent Policy

-Forms are required; but may not have to be notarized; they must be notarized if required by local hospital or medical clinic; forms need to be updated annually.

Environmental Policy

-Testing for the presence of lead, asbestos and/or radon is not a requirement for licensing.

-No financial assistance is available for the inspection of and remediation in family child care homes for the presence of lead, asbestos and/or radon.

-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children

-State regulations require children to be immunized; provider is responsible for maintaining the information.

-Information on the state immunization law is provided by the CO Department of Health and handed out by licensing workers.

-Blood lead level screening is not required for children prior to acceptance into a family child care home.

National Life Safety Fire Code Policy

-Fire Departments in Colorado generally use the National Life Safety Fire Code.

Nutrition Policy

-CO Department of Health sponsors USDA CACFP.

-Two wholesome nutritious snacks and noon meal must be served; special arrangements must be made for children in care before 6 AM and after 6 PM; meals must be balanced and include four food groups; children shall not be given food that is contrary to religious beliefs; pasteurized milk should be served.

Smoking Policy

-Smoking is not allowed in any area of the child care home where care occurs, during the hours of child care.

Before and After School Programs

-No separate special regulations.

-State allows 2 additional school age children during non-school times in addition to regular capacity of six.

Infant Care Programs

-Providers may care for no more than 2 children under two years of age.

-Providers that have been licensed for 2 consecutive years with no substantiated complaints may care for 3 children under two years of age.

Programs for Children with Disabilities

-No separate special regulations.

-Providers must comply with the ADA.

Sick Child Care Programs

-Sick child care is not allowed in group care situations.

Zoning Regulations

-FCCH and LFCCH must comply with local ordinances; may include special use permit and/or fee.

Available Resources

-Prospective providers in some counties can attend an orientation that tells them about food programs, resource and referral, and local associations; this information is also in written form in the original licensing packets which providers receive.

Local Contact

-CO Department of Human Services or local contract agency, or regionally located state licensing worker.

Pending/New Legislation

-None.

CONNECTICUT (CT)

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Number of Regulated Homes

-4,990 family child care homes.
-92 group family child care homes.
-Licensor-provider ratio: in the state - 1:275.

Definitions and Regulatory Requirements

Family Child Care Homes:

-License required; fee is $20 for 2 years; goes to state general fund.
-Renewed bi-annually through provider self-declaring changes in compliance with all regulations and submitting application.
-Provisional licenses are not issued under any circumstances.
-Social security number of provider is required.
-The terms "regular" or "regularly" are not defined in regulation; in practice: "once a week or once every 2 weeks" still qualifies, but it has to be for 3 hours each time to count as family child care.
-"Relative Care" means grandchild, niece, nephew, sibling, son or daughter by blood, adoption or marriage.
-Staff/child ratio is 1:6 including provider's children not in school full-time; maximum of 2 infants per provider. May have total of 6 infants, including provider's own, if an approved assistant (must meet Agency qualifications) is present at all times.
-In addition to 6 full-time children, may have up to 3 school age children for up to 3 hours before and after school, during the school year only.
-Licensee not required to reside in the home; family child care facility must be useable as a residence.
-Liability insurance not required.
-Substitute caregivers must pass screening similar to providers.
-Space requirements: judged as adequate for children's activities.

Group Family Child Care Homes:

-Provisional license for first 6 months; renewed every 2 years.
-7-12 children; maximum of four infants to one caregiver; preschool ratio--1:10.
-Group size required: 8 or fewer for infants; 20 or fewer for others.
-Space Requirements: 35 square feet inside; 75 square feet outside per child.
-Group child care homes may be in any facility.
-No liability insurance required.

Unannounced Inspection Procedure

-Child care homes are inspected before licensure; subsequent unannounced monitoring visits to 1/3 of the homes each year.

-When a complaint is filed, there is always an unannounced home visit to discuss complaint and inspect premises. A copy of the inspection sheet and necessary corrections are left with the provider.

Tracking of License Denials and Revocations

-Both denials and revocations are tracked; statistical data began 4 years ago and is maintained.

Complaint Procedure

-To file a complaint, call or write the agency; complaints may be anonymous, and the agency will investigate.

-Public can be informed by telephone upon inquiry of: last home inspection, substantiated complaints in the past year and adverse actions on license.

Provider Qualifications

-Providers must be at least 20 years old.

-Initial and biennial physical exams and initial negative TB test required of provider.

-Adult household members must have initial exams and negative TB test. No other immunizations required for adults.

-References required.

-Protective services records checked for provider and adult household members and staff.

-Criminal record check with state police required of provider, adult household members, and staff at no cost to provider.

Provider Training and Orientation

-6 hour first aid training (child care course) is preservice requirement for FCCH and 1 staff person in GCCH.

-FCCH - no on-going training requirement.

-GCCH providers must show evidence of continuing education (minimum hours = 1% of work hours per year).

-CPR is not a separate requirement.

Discipline Policy

-Corporal punishment prohibited.

-Positive behavior management techniques are encouraged.

Emergency Medical Consent Policy

-Forms are required, but they do not have to be notarized.

Environmental Policy

-Testing for the presence of lead, asbestos and/or radon is not a condition of licensure for FCCH, but peeling paint must pass lead analysis; GCCH must pass radon, lead and asbestos testing.

-Financial assistance in the form of a grant from another agency is available the inspection of and/or remediation of the presence of lead.

-Regulations do not address the issue of pesticide use near family child care homes located in rural areas, but poisons and hazards are general regulations.

Immunization Policy for Children

-New regulations define children's schedule of immunization; provider is required to verify that both day care children and resident children are current prior to enrollment, or have a doctor's appointment.
-Children in provider's family must have annual exams for preschoolers and exams based on school schedule for older children, and current immunizations.
-Screening for blood lead level prior to acceptance into a FCCH or GCCH home is not required.

National Life Safety Code Policy

-Agrees with state fire code.

Nutrition Policy

-CT Department of Education is state sponsor for USDA CACFP.
-Regulations address nutrition; FCCH are informed about nutrition programs.
-Licensers monitor for CACFP per agreement with USDA.

Smoking Policy

-Providers must not smoke when there is direct physical contact with a child.

Before and After School Programs

-No special regulations, other than developmentally appropriate program.
-Before and after school children should be in the home for no more than three hours each day before school and after school.

Infant Care Programs

-Developmentally appropriate practice, special diaper changing and diaper disposal requirements, infants must be held to be fed; program to allow crawling and individual attention.
-Ratios: 1:2 with other children present or 2:6.

Programs for Children with Disabilities

-Individual care plans are required (not written) and regulations support ADA.

Sick Child Care Programs

-Special regulations exist which allow a provider to care for a mildly ill child if that child is there on a regular basis; no sick child care on a drop-in basis; universal health precautions must be used.

Zoning Regulations

-FCCH considered legitimate use of residential property; exempt from codes by statute; GCCH must comply with local zoning codes.

Available Resources

-Referral to free R&R service, nutrition sponsors, FCCH associations and publicly funded training.
-Professional and training support: Financial aid, CDA 1-800 info, resource centers, Windflower Enterprises/Second Helping, health and safety courses, first aid courses, mentoring, statewide quarterly newsletter, funding to support FCCH conferences, awards to FCCH's, licensing staff as speakers and presenters.
-Resource materials: discipline, activities, business issues, health and safety, and more.

Local Contact

-One central office of the licensing agency (cars outstationed).

Other Information

-Vehicles are required to be registered and insured; safety belts required.
-Dogs and cats required to be vaccinated for rabies.

Pending/New Legislation

-Intermediate remedies for action against a license to be written into the regulations: monetary penalties, letter of censure, probation, and corrective action.
-Confidentiality maintained for up to one month during investigation of allegations.
-Approved providers to administer blood glucose finger sticks.
-CT Public Act #97-259 effective 7/1/97, affecting Dept. of Public Health/ Child Day Care Licensing:
 -DPH provide information on all complaints received and substantiated during the past 3 years to any requester, with only limited information held confidential.
 -DPH to establish a limited amnesty program 10/1/96-9/30/98 for FCCH and GCCH.
 -Night care is defined as 10:00 PM to 5:00 AM.
 -Year round program defined as open at least 50 weeks/year.
 -DPH to conduct a criminal record check, which will now include an FBI check, on each prospective employee/caregiver of FCCH/GCCH/Center.

DELAWARE (DE)

Information
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Number of Regulated Homes

-1,931 family child care homes.
-45 large family child care homes.
-Licensor-provider ratio: no information available.

Definitions and Regulatory Requirements

-FCC providers must complete self-certification process.
-Licensure renewed annually.
-Initial Provisional licenses are issued to all new providers for 6 months; license is issued pending the results of the criminal background check.
-Social security number of provider is required.
-The term "Regular Basic" means child care services which are available and provided at a family child care home on more than 1 day in any 1 week or for periods longer than 3 weeks in any calendar year.
-"Relative Care" means a person having any of the following relationships by blood, marriage, or adoption between the caregiver and the child in care: parent, grandparent, brother, sister, aunt, uncle, stepparent, stepbrother, stepsister; a cousin for the purpose of this definition shall not be considered a relative.
-Provider/child ratio is 1:4 with 2 additional school age children for a Level I provider and 1:6 with 3 additional school age children for a Level II provider, including family members under school age; maximum of 3 children under 2 years of age and maximum of 2 children under 12 months.
-Liability insurance not required for FCCH.
-FCCH parents must be given copy of family day care brochure and have free access to the areas of the home used for care during day care hours.
-Children can be released only to persons authorized by parent(s) who has placed the child(ren) in care.
-FCCH must reside in the home in which they provide care.
-Substitute caregiver required and her/his name, address, and phone number must be on file in provider's home; substitute does not have to be licensed.
-No square footage requirement.
-Large Family Child Care Homes:
-Ratio: 2 providers with 12 children with 2 additional school age children.
-If more than 5 children are under 2 years of age, a third staff person is required.

- -LCCH do not have a residence requirement; may provide care in a facility or home other than their residence.
- -Square footage requirement: 35 sq. ft. per child.
- -Liability insurance is required.

Unannounced Inspection Procedure

- -Initial, announced inspection of FCCH occurs within 90 days of certification; 20% sample of unannounced annual visits.
- -Annual inspections of LCCH.
- -Unannounced visits are made when a complaint is filed; additional follow-up visits may be unannounced or announced depending on nature of the visit.

Tracking of Certification Denials or Revocations

- -Both denials and revocations are tracked for an indefinite period of time; information maintained in data system called FACTS which tracks family and resource information in the Department.

Complaint Procedure

- -To file a complaint, call or write the Office of Child Care Licensing, or the Division of Family Services Reporting Line.
- -Consequences vary depending upon the nature of the complaint; may be corrective action, probation, suspension or revocation.

Provider Qualifications

- -FCCH provider must be at least 18 years old.
- -Initial physical exam, including TB screening, required of provider, family members who have direct contact with children, and children under 6 years of age living in the house.
- -A review of immunization status is required.
- -Subsequent exams required only if provider or other adult family member has ongoing health problem.
- -Child abuse registry check done on potential provider and family members before licensure; she/he required to list any criminal offenses he/she has committed as well as those committed by family members on application.
- -Three written references required.
- -Criminal History Records check SBI and FBI required of all members of household 18 years and older.

Provider Training and Orientation

- -6 hours of preservice orientation training required for prospective FCCH.
- -Orientation curriculum includes: licensure process; review of requirements focusing on caregiver responsibilities, staff-child ratios, health and safety, equipment and activities, program, discipline, food and nutrition, child health, infection control procedures, communicable disease, business practices, child development, and provider community support systems.
- -The training, based heavily on a Family Day Care Handbook developed by the University of Delaware for the Department, which is available to be purchased by the providers for a small fee.
- -15 hours of training required in initial year of licensure. Training shall include 9 hours of child development, appropriate caregiving and guidance of children's behavior, and 6 hours of infection control, business practices, nutrition, health, and safety, CPR and first aid.

-12 hours of annual training required for subsequent year of licensure.
-LCCH providers participate in preservice orientation/training with child care center providers.
-LCCH providers required to participate in at least 15 hours of annual training in areas of child development, curriculum development, caring for children with disabilities, appropriate caregiving and guidance, health, safety and infection control.

Discipline Policy
-Corporal punishment prohibited; positive reinforcement is encouraged as method of child management.

Emergency Medical Consent Policy
-Form required; but it does not have to be notarized.

Environmental Policy
-Testing for the presence of lead, asbestos, and/or radon is not a requirement of certification; no financial assistance is available for the inspection for or remediation of the presence of lead, asbestos or radon.
-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children
-All children must be immunized; responsibility for seeing they are current is family child care provider.
-Blood lead level screening is required prior to the entrance into a certified family child care program.

National Life Safety Fire Code Policy
-An electrical inspection conducted by an approved inspection agency shall be conducted every 5 years.

Nutrition Policy
-DE Department of Public Instruction is state sponsor for USDA CACFP, local sponsors are The Family and Workplace Connection, Child Care Initiatives, Catholic Charities and Delaware Parents Association.
-Nutritionally appropriate scheduled meals and snacks shall be served to the children in care for four hours or more per day; all meals must have at least one item from each of the four food groups; all snacks shall include one item from two of the four food groups.

Smoking Policy
-Smoking prohibited in the presence of children.

Before and After School Programs
-No special regulations.
-School age care may be provided for 2 additional children no more than 6 hours per day.

Infant Care Programs
-No separate special regulations for family child care homes.

-LCCH Type II (Infant-Toddler Home) - caregiver must have 20 hours of training in infant/toddler development and curriculum, as well as health, safety and nutrition issues pertinent to infant/toddler caregiving.

Programs for Children with Disabilities

-Requirements reviewed to assure no conflict with ADA.

Sick Child Care Programs

-Separate regulations exist specifically for care of sick children.

-In FCCH when a communicable disease occurs, the parent of an exposed child will be notified so that she/he may observe the child.

-In FCCH any child with a fever over 101 F sustained for over 48 hours, vomiting, unexplained rash, and/or severe diarrhea will be excluded.

Zoning Regulations

-Family day care homes exempt from zoning regulations in most cases; in few areas, special permit and fee required.

Available Resources

-Resource and referral, family child care provider associations, purchase of care (state subsidized care information), Delaware First...Again Early Care and Education Career System, CACFP, and small business development information.

Local Contact

-Either the Wilmington Office of Child Care Licensing [302-892-5800] or the Dover Office of Child Care Licensing [302-739-5487], both in the Department of Services for Children, Youth and Their Families, Division of Family Services.

Pending/New Legislation

-New:
 -SB62 - Register of Regulations.
 -HR34 - Task force to study child care licensing and ways to improve system.
 -SB132- Employers required to obtain service letters from previous employers on child abuse and adult registry checks on all day care and health care employees; adult registry created by HB385.
-Pending:
 -SB142- Codifies caseload standards for social workers and licensing staff to be used in the budget process yearly.

DISTRICT OF COLUMBIA (DC)

Information
Supplied By: Ellen M. Yung-Fatah, Program Manager
Social Service Facility Division
DCRA Service Facility Regulation Adm.
614 H Street, N.W., Room 1035
Washington, D.C. 20001
PHONE: (202) 727-7190
FAX: (202) 727-7780

Number of Regulated Homes
- -205 family child care homes.
- -31 system family child care homes
- -Licensor-provider ratio: 7:205.

Definitions and Regulatory Requirements
- -Licensing required for FCC providers, whether independent or participants in one of the three licensed systems; a one-time fee of $50 is required for a home occupation permit.
- -A one time fee of $50 is required for pre-inspection; a fee of $50 is required for the child development home licensee every year.
- -Provisional licenses are not issued under any circumstances.
- -Terms "regular" or "regularly" are not defined, but there is exempt "occasional baby sitting."
- -"Relative Care" includes any of the following relationships by marriage, blood, or adoption: parent, stepparent, grandparent, brother, sister, stepbrother, stepsister, uncle or aunt.
- -Social security number of provider is required.
- -Provider/child ratio is 1:5, provider/infant ratio is 1:2.
- -Maximum of 5 children may be cared for including family members under age 6.
- -Providers must live in the residence in which they provide care.
- -Liability insurance not required.
- -Substitute caregiver system required prior to licensing; substitute must meet same requirements as primary provider.
- -Providers must have policy statement which addresses their rules for operating.
- -An approved fire evacuation drill plan is required.
- -Space requirements: A minimum of 35 square feet per child inside FCCH.
- **-DC has no Group Family Child Care Homes.**

Unannounced Inspection Procedure
- -Inspections of homes required before licensing; subsequent visits conducted unannounced at any time.
- -If a sexual abuse has been reported, SFRA immediately refers to the Metropolitan Policy Department for investigation; SFRA works jointly with the MPD detectives in the investigation to ascertain the facility's compliance with the regulations, i.e. ensuring proper supervision.

-Complaints of unlicensed child care activity will be referred immediately to the Office of Compliance, Investigation Division, for investigation; serious allegations are investigated within 24 hours.
-Complaint investigations that require on-site visits are performed on unannounced basis.

Tracking of License Denials and Revocations

-Both denials and revocations are tracked for 3 years.

Complaint Procedures

-To file a complaint, telephone or write DCRA/SFRA/SSFD, Room 1035, 614 H St., NW, Washington, DC 20001.
-Complaints are prioritized according to the nature; allegations of physical or sexual abuse are referred immediately to the Metropolitan Policy Department for investigation. Immediate consequences and penalties for violations in licensed facilities are the issuance of fines for routine infractions.
-For unlicensed activity, a Cease and Desist Order can be issued as well as a fine levied.

Provider Qualifications

-FCC provider must be between 18 and 70 years of age; over 70 must provide a statement saying they are capable of caring for children.
-Initial physical exam required of provider; annual exams required of provider and adults in home when children are present.
-Physicals must include TB and Syphilis testing, but no other immunization required for adults.
-Three written references required.

Provider Training and Orientation

-Emergency first aid preservice training is required and must be kept current.
-Orientation recommended for potential providers.
-Orientation includes information on licensing regulations in DC; offered the first Thursday every three months at 614 H Street, NW, 10th floor at 9:00 AM.

Discipline Policy

-Corporal punishment not addressed in current regulations, but prohibition is proposed in pending revision.

Emergency Medical Consent Policy

-Forms are required, but do not have to be notarized.

Environmental Policy

-Testing for the presence of lead, but not asbestos or radon is a requirement of licensure; no financial assistance is available for the inspection for or remediation of the presence of lead.
-DC regulations do not address the issue of pesticide use near family child care facilities in rural areas.

Immunization Policy for Children

-Children must be immunized; provider is responsible for maintaining complete records, reflecting current immunizations.

-Blood lead level screening prior to entrance into a family child care home is required.

National Life Safety Fire Code Policy
-Contact DC Fire Prevention (202) 727-1614.

Nutrition Policy
-The DC Public Schools is the state sponsoring agency.
-All meals and snacks must comply with USDA CACFP.

Smoking Policy
-Smoking is allowed, but providers are strongly encouraged not to smoke.

Before and After School Programs
-No separate special regulations.
-No policy with regard to overlap time; child/staff ratios must be maintained at all times.

Infant Care Programs
-No separate special regulations.

Programs for Children with Disabilities
-No separate special regulations.
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs
-No separate special regulations.

Zoning Regulations
-Home Occupation Permit is required.

Available Resources
-Orientations to licensure requirements; pre-inspections for technical assistance; fire and lead inspections; referrals to CACFP sponsor.

Local Contact
-Department of Consumer & Regulatory Affairs, Service Facility Regulation Administration, Social Service Facility Division: (202) 727-7226.

Pending/New Legislation
-There are pending revised regulations for all child development facilities including family child care.

FLORIDA (FL)

Information
Supplied By: Craig Townsend
Department of Children and Families
Children, Youth and Families Program Office
2811-A Industrial Plaza Drive
Tallahassee, FL 32301
PHONE: (850) 488-4900
FAX: (850) 488-9584

Number of Regulated Homes

-**4,446** licensed family child care homes.
-**3,158** registered family child care homes.
-Licensor-Home Ratio - 1:100 approximately; optimum not determined.

Definitions and Regulatory Requirements

-**Licensed FCCH** may have up to 5 preschool children with one provider; additional before and after school children allowed as long as total number of children in home does not exceed 10 and no more than 2 are under 12 months of age;
OR a maximum of 4 children from birth to 12 months of age;
OR a maximum of 3 children from birth to 12 months of age and other children for a maximum total of 6 children;
OR a maximum of 6 preschool children if all are older than 12 months of age;
OR 7 schoolage with no preschoolers.
-All ratios must include those children under 13 years of age who are related to the caregiver.
-Exemption: A provider who only cares for children from one unrelated family.
-Licensing is required for those who wish to participate in child food programs and/or subsidized child care.
-Licenses are renewed annually and require an on-site inspection for compliance with regulations by State of Florida.
-Social security number of provider not required on application.
-Providers (owner/operator) must reside in the home in which they provide care.
-Liability insurance not required for registered or licensed homes.
-No square footage requirement.

-**Registered FCCH** (not required to be licensed) are registered with Dept. of Children and Families; these homes are not monitored, but must complete a criminal background and screening clearance plus 3 hours training.
-The term "regular" as it relates to family child care is not defined.
-"Relative Care" is defined as grandparents, aunts and uncles who are not required to be licensed or registered by law may not be required to meet other standards, but must provide caregiver information (non-regulatory registration).
-**No distinction between FCCH and LFCCH (all considered FCCH).**

Unannounced Inspection Policy

-All homes are inspected before licensing; FCCH inspections are announced and unannounced semi-annually thereafter.

Tracking of License/Registration Denials and Revocations

-Denials and revocations are not tracked by the State.

Complaint Procedure

-To file a complaint, parent, guardian or other party notifies licensing agency; complaint is investigated.
-Necessary corrective action is followed; unannounced visit is usual.
-Consequences: depends on severity; usually corrective action required but an administrative fine is possible.

Provider Qualifications

-Must be at least 18 years old and of good moral character, and must have a negative TB test.
-Fingerprint check, local, state and Federal criminal record check, and abuse registry clearance required.
-Additional registration requirements must be provided for family child care homes which include the following: proof of substitute care, proof of background checks, proof of training and proof of immunizations.
-No other immunizations required for provider or other adults.
-Substitutes must meet the same requirements as providers.

Provider Training and Orientation

-Basic 3-hour training required for FCCH providers which includes the identification of child abuse and neglect; no CPR training requirement.

Discipline Policy

-Children received for care should be disciplined only in a constructive manner.
-Children shall not be subject to discipline which is severe, humiliating, or frightening.
-Discipline shall not be associated with food, rest or toileting.
-Spanking or any other form of physical punishment is prohibited.

Emergency Medical Consent Policy

-Emergency medical forms required, but they do not need to be notarized.

Environmental Policy

-No information available.
-State regulations do not address the issue of pesticide use near family child care homes in rural areas.

Immunization Policy for Children

-Children must be fully immunized; licensed FCCH are monitored twice a year for compliance with the standards. Corrective action is imposed for failure to comply; registered FCCH have to send in proof of immunizations.

National Life Safety Fire Code Policy

-Determined by local application; carried out on an individual basis.

Nutrition Policy

-FL Department of Education is state sponsor for USDA CACFP.

-The operator shall provide meals and snacks of a quantity and quality to supplement food served at home so that the daily nutritional needs of the children are met according to recognized nutritional standards.

Smoking Policy

-Smoking is allowed; however there is a current proposal to eliminate smoking in homes while children are present.

Before and After School Programs

-No provision for overlap time for integration of school age into a FCCH caring for younger children. Staff/child ratios must be maintained at all times.

Infant Care Programs

-No separate special regulations.

Programs for Children with Disabilities

-No separate special regulations.

Sick Child Care Programs

-If child has a communicable illness, child must be isolated, parents called so they can bring child home.

Zoning Regulations

-FCCH are expected to comply with local ordinances. However, a license will be issued as licensing law does not require such compliance.

Available Resources

-DHRS technical assistance, FCCH coordinators for subsidized programs; local associations (check with area licensing authority for referral).

Local Contact

-For 57 counties, the Dept. of Children and Families; for 10 counties, the county licensing agency.

Pending/New Legislation

-None.

GEORGIA (GA)

Information
Supplied By: Marsha A. Gates
Child Care Licensing Section
Office of Regulatory Services
2 Peachtree Street, NW, 32th Floor
Atlanta, GA 30303-3167
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FAX: (404) 657-8936

Number of Regulated Homes

-6,309 family child care homes (small and group).
-Licensor to provider ratio: no information available.

Definitions and Regulatory Requirements

-Registration for FCCH caring 3-6 children required; persons caring for 1-2 children are legally exempt; registration via the mail; no fee.
-"Regular" or "regularly" means any person who receives therein for pay for supervision and care fewer than 24 hours per day.
-"Relative Care" means within the second degree of consanguinity or affinity (grandchildren, nieces, nephews, first cousins).
-Provisional registration certificates can be issued for a period less than one year if circumstances warrant.
-Social security number of provider is required.
-Provider may care for maximum of 6 unrelated children for compensation, plus 2 additional children ages 3 and up for 2 hours per day.
-Provider/infant ratio is 1:3.
-Care must be provided in a private residence, but provider is not required to live therein.
-Liability insurance not required.
-Space requirements: A minimum of 35 square feet per child inside FCCH; there no space requirement outside the home.
-**Group Family Child Care Home:**
 -Licensing required; temporary or restricted licenses may be issued.
 -GCCH is care for 7-18 children.
 -Staff/child ratios: Infants less than 1 year old or children under 18 months who are not walking - 1:6; Walking 1 year olds - 1:8; 2 year olds - 1:10; 3 year olds - 1:15; 4 year olds - 1:18; 5 year olds - 1:18; 6 year olds - 1:18; for mixed age groupings, the age of the youngest child under 3 years of age shall determine the staff/child ratio for the group in which child(ren) under 3 years of age are cared for.
 -Administrator must be 21 years of age; other caregivers may be 18 years of age.
 -Must follow specific GCCH regulations.

Unannounced Inspection Procedure

-Initial inspections of family child care home required made within 6 months of registration; all complaints investigated through unannounced visits; 10%

random sample inspected annually.

-Follow-up inspections are conducted as necessary following complaints; no other procedures are in place.

Tracking of License/Registration Denials or Revocations

-Both denials and revocations are tracked for 1 year.

Complaint Procedure

-To file a complaint, call the child care licensing section.

-Consequences are that providers are given notice of violations and an opportunity to correct. Civil penalties (monetary fines) may be assessed if violations are not corrected or children are injured or placed in life-threatening situations.

-Registration can be revoked if children's health and safety are jeopardized.

Provider Qualifications

-Provider must be 21 years old.

-Provider must have high school diploma or GED.

-Must have satisfactory criminal record.

-No immunization of the providers and adult members of the household required.

-No references required.

-Fingerprinting and criminal record check required of provider; family members must also have criminal record check. Cost is $24 for fingerprints and $3 for criminal records background check for director, employees, and other adults in home.

Provider Training and Orientation

-Orientation to regulations required for GCCH.

-No preservice training requirement except that providers must have current CPR and first aid certificate.

-10 hours training annually in areas of child development, health, child abuse detection, prevention and reporting, and certain business-related topics.

-In GCCH, administrator and person primarily responsible for food preparation shall receive 4 clock hours of training in food nutrition planning, preparation, serving, proper dish washing and food storage.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Form is required; but form does not have to be notarized.

Environmental Policy

-Testing for the presence of lead, asbestos and/or radon is not a requirement of registration; no financial assistance is available for the inspection for or remediation of the presence of lead, asbestos and/or radon.

-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children

-Children are required to be immunized; parents are responsible for obtaining immunizations; provider must keep the children's information current.

-Blood lead level screening is not required for acceptance into a registered family child care home.

National Life Safety Fire Code Policy
-Not adopted.

Nutrition Policy
-Office of School Readiness is state sponsor for USDA CACFP.
-Meals and snacks should be nutritious and well-balanced.

Smoking Policy
-Smoking and use of tobacco are prohibited when children are present for care.

Before and After School Programs
-No separate regulations.
-Providers are allowed to care for a maximum of 8 children for 2 hours a day if children are 3 years of age and up.

Infant Care Programs
-No separate regulations.

Programs for Children with Disabilities
-No separate regulations.
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs
-Same rules and regulations with variances granted for special circumstances.

Zoning Regulations
-Regulations do not require local approval.

Available Resources
-Georgia Association for Child Care Resource & Referral.
-Office of School Readiness.
-Georgia Department of Family & Children Services.
-Georgia Child Care Council.

Local Contact
-DHR, Office of Regulatory Services, Child Care Licensing Section.

Pending/New Legislation
-None.

HAWAII (HI)

Information
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Department of Human Services
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Honolulu, HI 96809
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FAX: (808) 586-5180

Number of Regulated Homes

-**485** family child care homes.
-**4** large family child care homes.
-Licensor-provider ratio: 1:6, including many other duties.

Definitions and Regulatory Requirements

-Registration required for 3-6 children; providers caring for 1-2 children are legally exempt from regulation; no fee.
-Registration certificates are valid for one year.
-Term "regular" is not used; child care services are provided on a full-time or part-time (hourly) basis with 27 or more hours = full-time and 26 or fewer hours = part-time based on a 40 hour week.
-"Relative Care" is defined as grandparents, uncles, aunts, and non-resident siblings; they are legally exempt from licensing rules.
-Social security number of provider is requested; voluntary disclosures on mandatory criminal history record clearance where name check only is required.
-Provisional certificates are issued for up to 6 months if provider is in substantial compliance with minimum standards and no conditions exist which might threaten the safety or health of a child.
-Provider can have up to 6 children; no more than 2 under 18 months; up to 4 under 18 months with an additional adult caregiver. Excludes provider's children who are:
a) 6 years of age or older or;
b) in school or enrolled in a child care facility for more than 6 hours/day.
-Providers must reside in the home in which care is provided.
-Liability insurance not required; providers must inform parents whether it is available or not.
-Registration certificates renewed annually with recertification forms.
-Space requirements:
a) 35 sq. ft. per child inside;
b) for outdoor space, a minimum of 150 sq. ft.;
c) for children 12 months and older, a minimum of 75 sq. ft. per child
-**Large Family Child Care Homes:**
-License required for care for 7-12 children; renewal every 2 years.

-Staff/child ratios: 1:8 for 2 year olds; 1:12 for 3 year olds; 1:16 for 4

year olds; and 1:20 for 5 and older. All children must be over 24 months.
-Must comply with all group home and center care regulations.

Unannounced Inspection Procedure

-Homes are inspected before registration; subsequent random visits occur occasionally, or in the case of a complaint. No advance notice of visit is necessary.
-When a complaint has been filed, an unannounced visit is initiated; after the police or CPS worker conducts his/her investigation, may be another follow-up.

Tracking of Registration Denials and Revocations

-Both denials and revocations are tracked for 3 years.

Complaint Procedure

-A complaint may be filed by calling the licensing office, Child Protective Services or the police.
-Consequences: generally progressive discipline is practiced; i.e., oral, written, sanctions, suspensions, revocation unless children's health and welfare are in immediate danger--then suspension/revocation is indicated.

Provider Qualifications

-Provider must be at least 18 years old.
-Providers and all household members must have physical exam and clearance for TB before registration and every 2 years following.
-No other adult immunizations required.
-Two written references required.
-Criminal record checks and fingerprinting done for applicant, usually provider and spouse and all other employees.
-Child abuse background check is also done.
-Provider's employment history for 3 years preceding application is checked.

Provider Training and Orientation

-FCCH - 2 week voluntary preservice training for those who are not CDA or with college pending.
-Training is required for renewal of license; providers must show written evidence attesting to increased knowledge in two or more of the following areas: physical care of the young child, care of the sick child, foods and nutrition, growth and development, learning activities and play, working with parents, child management, management of a family child care home, infants, children with disabilities, first aid or community resources.
-DHS has a separate purchase of services contract with the PATCH (People Attentive to Children), a non-profit training agency, to provide training to active and potential family child care providers. There is no minimum charge for the training which covers health and safety issues, child development and management, and creating a safe and nurturing environment.
-Orientation for perspective providers for whom the department has been able to obtain the services of People Attentive to Children to provide group orientation on a quarterly basis.

Discipline Policy

-Corporal punishment prohibited.
-Providers cannot use humiliation or any other method which is harmful, frightening or damaging to the child's health or self-esteem.

Emergency Medical Consent Policy
-Forms are required, but they do not have to be notarized.

Environmental Policy
-Testing for the presence of lead, asbestos, and/or radon is not a requirement of licensure except that licensing regulations stipulates "lead based paint may not be used on surfaces accessible to children."
-Financial assistance for the inspection for or remediation of the presence of lead, asbestos or radon is not available.
-State regulations do not address the issue of pesticide use near family child care homes in rural areas.

Immunization Policy for Children
-Children must be immunized; providers must maintain immunization records on each child.
-Records for school age children available at school; copy of immunization need not be maintained in family child care home.
-No information provided about lead level screening requirements.

National Life Safety Fire Code Policy
-Must meet local fire codes.

Nutrition Policy
-HI Department of Education is state sponsor for USDA CACFP.
-Providers are required to meet USDA recommendations relative to length of time in care, amount and frequency of meals.

Smoking Policy
-Smoking prohibited by state law in all child care facilities during the hours of operation.

Before and After School Programs
-Child staff ratio is 1:20
-No specific regulations for before and after school care.
-No provision for overlap time; child staff ratio must be maintained at all times, regardless of age.

Infant Care Programs
-No separate special regulations.

Programs for Children with Disabilities
-Special training required for providers caring for children with disabilities.
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs
-No separate licensing rules for sick child care.
-Family, Group, and School Age care rules require sick children to be separated.

Zoning Regulations
-Must comply with local ordinances.

Available Resources
-Training, recruitment, technical assistance, food program.

Local Contact
-Child Care Program Office, Benefit, Employment and Support Services Division, Department of Human Services, 1001 Bishop Street, Suite 900, Honolulu, HI 96813 [Phone: 808-586-5770].

Pending/New Legislation
-License period extended to 2 years from 1 year.
-Annual site visits to remain in effect.

IDAHO (ID)

Information
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Bureau of Family & Children's Services
Department of Health and Welfare
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P.O. Box 83720-0036
Boise, ID 83720-0036
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FAX: (208) 334-6664

Number of Regulated Homes

- **-202** family child care homes.
- **-145** family child care homes, City of Boise.
- **-30** family child care homes, Coeur D'Alene.
- **-684** group family child care homes.
- **-130** group family child care homes, City of Boise.
- **-135** family and group child care homes, Cities of Lewiston, Pocatello, Chubbuck, and Moscow
- -Licensor-provider ratio: no state information provided.

Definitions and Regulatory Requirements

-State of ID [See individual cities' definitions and requirements below.]

-Family Child Care Homes

- -Voluntary licensing; receives basic child care license for care of 6 or fewer children.
- -Voluntary renewal every two years upon reapplication.
- -Under voluntary licensing, fire inspection and health inspection are required upon each renewal, subsequent fire inspections and health inspections also required.
- -Licensing fees: Fire: up to $20; Health: $35; Criminal History Check: $45 per individual plus taking prints when necessary.
- -Terms "regular" or "regularly" not defined as it pertains to definition of family child care services.
- -"Relative Care" is not defined, but references "blood or marriage" relation.
- -Provisional licenses are issued if the pending receipt of FBI criminal background check, and self-declaration are positive.
- -Social security number of provider is required.
- -Provider/child ratio: 1:6 for all children age 18 months or less; 1:12 for all children above 18 months, but less than 5 years; and 1:18 for all children whose age is 5 years or more.
- -No space requirements.
- -Providers are not required to reside in the home that is used to provide care.
- -Liability insurance is not required.

-Group Family Child Care Homes:

- -Certification required by ID State law.
- -Care of 7-12 children; provider/child ratio is 1:12.

-Fire inspection and health inspection are required upon each renewal, subsequent fire inspections and health inspections are also required.

-Individual FCCH and GCCH Regulations by City:

-**City of Coeur d'Alene**:

-License only valid for 1 year; licensing fee is $50 which includes fire.
-Health fee, $35; criminal history check, $40.
-Compliance with fire and safety regulations is required.
-The term "regular" refers to care for or attend to for any part of a 24 hour day.
-None of the children related by marriage or consanguinity to the operator shall be considered as a child under the staff/child ratio or in the definition of child care facility.
-File with the City Clerk's office current certification that staff is certified in infant/child first aid and pediatric rescue breathing.
-Requires a TB test or doctor's certification stating the applicant is free from TB.
-FCCH must be 21 years old.

-**City of Lewiston**:

-Registration required for FCCH (care of 1-6 children, not including children or stepchildren of the provider).
-Licensing required for GCCH (care of 7-12) children, not including children or stepchildren of the provider).
-Approval of a Conditional Use Permit from the Planning and Zoning Commission is required; Business License is required.
-Two care providers must be present at all times.
-Compliance with fire and safety regulations is required.
-Resident persons are not exempt from fingerprinting and an increase in fingerprinting fees to current state and federal charges.
-4 hours of child development related education/training per year is required for the provider, employees and assistants.
-First aid or CPR is not required.

-**City of Boise**: [MOST STRINGENT LICENSING REQUIREMENTS IN THE STATE]

-License required for FCCH (care of 1-5 children); one time fee of $50.
-License required for GCCH (care of 6-12 children); one time fee of $75.
-Fee for FBI fingerprint verification, $39.
-Prelicensing inspection required.
-Child care rooms may not be located above the first story.
-The term "regular" refers to children under 13 years of age for periods less than 24 hours per day while parents or guardians are not on premises.
-"Relative Care" is defined as care of children directly related to the caregiver by blood or marriage, unless child care is also provided to unrelated children.
-Provider to child ratios are determined on a point system and providers own children are included in the point calculation.
-Space requirement: 35 sq. ft. per child
-Current immunization card required for each child; special medical and religious exemptions allowed.
-At least one adult is required at all time who has current proof of training in pediatric first aid and CPR, including rescue breathing.
-10 hours of training per facility licensing year required in the areas of child development, business management, safety, or health; other child care workers required to have 4 hours per year.

- **City of Pocatello:**
  - License required for GCCH (care for 6 or more children under 12 years of age); valid for 1 year; initial fee $150, renewal fee $100;.
  - Background/criminal history check required for all providers, employees, and other people over the age of 12 years residing in the home; initial fee $50 per person, renewal is $15 per person.
  - Each child under 18 months of age is considered as 2 children for the purpose of determining the maximum number of children allowed per staff.
  - In the event of emergency school closures, up to 3 additional school age children for whom compensation is received may be allowed on premises for a maximum of 2 consecutive days without affecting staffing requirements.
  - First aid training and certification in CPR is required within 90 days of licensing.
  - Owner/operator, employees and volunteers shall also have 4 hours of on-going training, which may include first aid, in each 12 month period.
  - Specific regulations regarding number, placement, and maintenance of smoke detectors and fire extinguisher.
- **City of Chubbuck:**
  - License required for GCCH (care of 5 or more children under 18 years of age) and valid for 2 years.
  - The term "regular" excludes occasional care of a child or children by neighbors, relatives or friends not ordinarily engaged in child care for pay and a facility providing child care for children of only one family in addition to the provider's own child, children or stepchildren.
  - "Relative Care" is not defined.
  - Specific regulations regarding number, placement, and maintenance of smoke detectors and fire extinguisher.
  - Fire drills shall be held at least once a month.
- **City of Moscow:**
  - No license required for FCCH (care of 6 or fewer children); up to 4 additional school age children may be cared for.
  - License required for GCCH (care of 7-12 children); up to 5 additional school age children may be cared for; license valid for 1 year.
  - License fee, $50; fingerprint processing fee, $35; required health inspection fee, $35; background check, $10
  - Provider to child ratio determined by a point system with provider's own children included in the total.
  - Specific regulations regarding in-ground and above-ground swimming pools and hot tubs.
  - Play area must be fenced in with self-closing and latching gates.
  - Must be equipped with emergency lighting if portions of the facility are windowless or care is provided at night.
  - All smoke detectors must be hard wired.
  - FCCH and GCCH care area cannot exceed one story.
  - Specific regulations regarding number, placement and maintenance of smoke detectors and fire extinguishers.
  - Has adopted Life Safety Fire Code.

Unannounced Inspection Procedure

- Child protection issues are investigated with on-site visit which may be unannounced; licensing issues may require unannounced on-site visit; quality of care is not regulated other than in this manner by State of Idaho.

Tracking of License Denials or Revocations

-No tracking is done by State of ID.

Complaint Procedure

-To file a complaint, concerns may be directed verbally or in writing to the licensing/child protection agency or resource and referral.
-Consequences depend on circumstances; license may be suspended or revoked, also possible criminal action.

Provider Qualifications

-State of Idaho
 -FCCH must be 18 years old.
 -No immunization requirements for provider or other adults in the household.
 -Criminal history checks are done on the owners, operators, and employees of a child care facility who have direct contact with children, and on all volunteers and other individuals 12 years of age and older who have unsupervised direct contact with children.

Provider Training and Orientation

-State of Idaho
 -No preservice training/orientation is required.
 -4 hours of training required per year if licensed.

Discipline Policy

-No state discipline guidelines.

Emergency Medical Consent Policy

-No state regulations.

Environmental Policy

-Testing for the presence of lead, asbestos, and/or radon is not required for licensure; no financial assistance is available for the inspection for or remediation of the presence of lead, asbestos or radon.
-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children

-If licensed or certified:
 -Children are required to be immunized, and providers must have records on file.
 -Parents are responsible for maintaining immunization schedule and keeping the record current.
 -Blood lead level screening is not required for entrance into a family child care home.

National Life Safety Fire Code Policy

-Not adopted on a statewide bases; licensure of homes not required by statute is permissive.

Nutrition Policy

-ID Department of Education is state sponsor for USDA CACFP.
-No current policies regarding nutrition.

Smoking Policy
-Smoking is allowed with no restrictions; children are not protected against second-hand smoke.

Before and After School Programs
-No state policy regarding overlap time when integrating when preschool children.

Infant Care Programs
-No separate special state regulations.

Programs for Children with Disabilities
-No special state regulations.
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs
-No separate special state regulations.
-City of Boise has sick child care guidelines.

Zoning Regulations
-FCCH and GCCH must comply with local ordinances.

Available Resources
-Child and Adult Care Food Program Sponsors, Child Care Resource and Referral Organization; state family child care association.

Local Contacts
-ID Dept. of Health and Welfare Regional Offices.
-City of Boise, Licensing Division, Office of the City Clerk, 150 N. Capitol Boulevard, Boise, ID 83701; (208) 384-3705.
-City of Coeur D'Alene, Office of the City Clerk, City Hall, 710 E. Mullan, Coeur D'Alene, ID 83814-3964; (208) 769-2229.
-City of Pocatello, Office of the City Clerk, P.O. Box 4169, Pocatello, ID 83205; (208) 234-6215.
-City of Chubbuck, Police Department, 5160 Yellowstone Avenue, P. O. Box 5604, Chubbuck, ID 83202-5604; (208) 237-7172.
-City of Lewiston, Day Care Registration and Licensing, P.O. Box 617, Lewiston, ID 83501; (208) 746-3671.
-City of Moscow, Office of the City Clerk, P.O. Box 9203, 122 East 4th Street, Moscow, ID 83843; (208) 883-7000.

Pending/New Legislation
-None.

ILLINOIS (IL)

Information
Supplied By: Carol Borders
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Department of Children & Family Services
Office of Licensing
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Number of Regulated Homes

-**9,162** family child care homes.
-**197** group family child care homes.
-No information available about licensor-provider ratio.

Definitions and Regulatory Requirements

-Family Child Care Homes

-License required if caring for more than 3 children under age 12; no licensing fee; licenses renewed every 3 years.

-Provisional licenses are not issued; however, permits may be issued for 2 months prior to the meeting of all requirements and conditional licenses may be issued for 6 months prior to revocation of licenses in order to provide an opportunity to achieve full compliance.

-Providers caring for 1-3 children are exempt from regulation.

-Social security number of provider is required.

-The term "regular" is not defined; however, the Illinois Child Care Act defines who is subject to licensure: "...persons who arrange for care and placement" or "...receive for care more than 3 persons unrelated to the operator..." The Act does not refer to when or how often care is provided except in very limited terms, where exemptions from licensure may be applicable.

-"Relative Care" is not defined; The Illinois Child Care Act defines "related." The Statute actually governs the operations of facilities subject to licensure (those facilities which arrange for and/or care for "children unrelated to the operator"). However, if a complaint should occur regarding persons caring for children without a license, the caregiver would have the burden to prove that a relationship, as defined in the Act, existed between them and the child(ren) in order to remain exempt from licensure.

-For FCCH, maximum provider/child ratio is 1:12: includes providers own natural, foster, adopted or unrelated children under age 12, and with no more than 5 under age 5 and no more than 3 under age 2; OR with 6 children under age 5 of which no child may be under age 3; OR a school age group consisting of 8 school age children. (Maximum capacity can be 12; however, the provider may only have 8 if alone and requires an assistant to take 4 additional children to reach the maximum capacity.)

- Provider with an assistant may care for a total of 8 children under 5 years of age of which 5 children may be under 2 years; 4 additional children who attend school full time may be accepted for care only if the assistant is 18 years of age or older and a fire clearance has been obtained.
- All providers are required to reside in the home in which care is provided.
- Liability insurance not required.
- Substitute caregiver required before license granted; substitutes do not have to be licensed, but must meet all health and background check requirements.
- Space requirements: a minimum of 35 sq. ft. of floor space for each child in care and an additional 20 sq. ft. of floor space for each child under 30 months of age when capacity exceeds 8.
- **Group Family Child Care Homes**
  - License valid for 3 years.
  - May care for more than 3 up to 16 children including family's natural, foster or adopted children and all other persons under the age of 12, according to the following:
    a) no more than 4 children under 15 months of age; b) no more than 6 children under 30 months of age with no more than 4 children under 15 months of age; c) no more than 12 children under age 6 years of which no more than 6 may be under 30 months and 4 under 15 months of age.
  - May accept 4 additional children who are attending school full time if a part time before and/or after school assistant is employed and a fire clearance is obtained.
  - Space requirements: A minimum of 35 sq. ft. of floor space for each child and an additional 20 sq. ft. of floor space for each child under 30 months of age.

Unannounced Inspection Procedure

- Inspections of home prior to licensing and renewal of license; monitoring visits must occur at least annually; visits are unannounced.

Tracking of License Denials and Revocations

- Both denials and revocations are tracked; once data has been entered, no closure on the length of time information is retained in the database. If a licensee has had their current license revoked or the Department has refused to renew their license, they may not reapply for license to operate for 12 months.

Complaint Procedure

- Child abuse or neglect reports may result in barring or removing the person from the facility and assuring that another adult is always present when the subject of the investigation is in contact with the child(ren).
- Responses made to all complaints within 2 working days.
- Public may receive requested information on any substantiated parental complaint.

Provider Qualifications

- FCCH provider must be 18 years old; GCCH provider must be at least 21 years old.
- Initial and biennial physical exams, including a TB test administered by the Mantoux method, required of provider and provider's family.
- No other adult immunizations required.
- Three written or oral references required.

-Child Abuse Registry check required on all members of the household 13 years of age and up; a criminal history check, via fingerprinting is required on all members of a household 18 years of age and older.

Provider Training and Orientation

-Both FCCH and GCCH must be trained and certified in first aid, Heimlich maneuver, and Infant/Child CPR.
-No other training required for FCCH.
-GCCH provider must have one year (1560 clock hours) of child development experience in a licensed day care home, nursery school, kindergarten, or licensed day care center plus 6 semester or equivalent quarter hours in courses related directly to child care and/or child development from an accredited college or university.
-GCCH shall complete 6 clock hours of continuing education per calendar year.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Signed consent forms are required for emergency medical care and treatment.

Environmental Policy

-Facility must be clean, well-ventilated, free of observable hazards; working smoke detectors on every floor level; facility must be free of chipped or peeling paint and maintained free of lead paint; no portable space heaters used; written plan for immediate evacuation required; fire and tornado drills required monthly with documentation of time and date; hand guns prohibited on premises except for persons requiring hand guns for employment purposes (police officers); any other fire arm must be disassembled and locked in storage with ammunition located in storage in an area other than where the fire arm is stored.
-Testing for the presence of asbestos and/or radon is not a requirement of licensure; no information is available about financial assistance to providers for the inspection for or remediation of the presence of lead, asbestos or radon.
-State regulations do not address the issue of pesticide use near family child care homes located in rural areas; however, the Department does require well-water testing in areas without a municipal water supply. The Illinois Department of Public Health must certify the safety of water for consumption or applicant/licensee must use bottled water or transport from a safe supply.

Immunization Policy for Children

-Children must be immunized; providers responsible to maintain current records.
-Parents may request a religious or clinical grounds exemption.

National Life Safety Fire Code Policy

-Department rule establishes requirements if basements are used for child care of if children under 30 months are cared for above the second floor or in apartment buildings; fire clearance required only when question of compliance with the rule.

Nutrition Policy

-Meals and snacks shall be provided by the facility in a quantity and of such quality as to meet the daily nutritional needs of the child.

-All meals should be suitable for children and prepared by methods designed to conserve nutritive value, flavor, and appearance.

Smoking Policy

-Smoking prohibited in any area of facility in which day care services are being provided while children are presents; also prohibits smoking while transporting children.

Before and After School Programs

-FCCH and GCCH may increase their capacity from 8 to 12 or from 12 to 16 children respectively to accommodate caring for school age children with certain other restrictions.

-No policy regarding overlap time; child/staff ratio must be maintained.

-When acceptance of siblings of children who are already in care will place the licensee out of compliance with the established age groupings, licensee may develop a transition plan which will be submitted to the licensing representative for review and approval.

Infant Care Programs

-Infant is defined as a child age 6 weeks to 15 months; toddler is 15 months to 2 years of age.

-Children under 30 months of age shall not be permitted in bathrooms, kitchens, or hazardous areas without the caregiver or assistant present.

-Infants shall be provided a daily program designed to meet their needs.

-Feeding schedules and procedures shall meet the developmental needs of the child(ren).

-Equipment and material must be appropriate to developmental needs of the child(ren) in care.

Programs for Children with Disabilities

-Department has made every effort to provide language changes which are inclusive and to remove all language which may have led to exclusionary actions on the part of providers.

-Children with disabilities shall have activities relating to them that are planned with parents and physicians.

-Parents shall be fully informed and in agreement with all procedures undertaken in relation to the child's needs.

Sick Child Care Programs

-Group care prohibited by public health regulations when communicable diseases are present, otherwise at discretion of caregiver.

Zoning Regulations

-FCCH and GCCH must comply with local ordinances.

Available Resources

-Strong child care resource and referral network; 16 services in the state.

Local Contact

-Regional Offices of the Illinois Department of Children and Family Services.

Pending/New Legislation

-Pending:

  -Legislation which directs the Department to establish more permissive language in the day care rules to allow children, with written agreement between caregiver and parent, to bring lunch from home to the facility.

-New:

  -Requires applicant(s) for any child care facility license to certify they are current in payment with any court order to pay child support. The Department cannot act upon the application without certification.

  -Effective 4/1/97, full implementation of a Background Check Rule: effects all currently licensed facilities - licensees, members of households, and employees who were licensed or employed prior to effective date must authorize a background check if 18 years of age or older via fingerprinting, and a check of the Child Abuse/Neglect System for all persons 13 years of age or older. Person who sought initial license/employment became subject to these requirements effective 4/1/96.

INDIANA (IN)

Information
Supplied By: Keith Carver, Supervisor
Child Care Licensing Unit
Division of Family and Children
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Indianapolis, IN 46204
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Number of Regulated Homes

-**2,821** large family child care homes.
-Licensor to provider ratio: information not provided.

Definitions and Regulatory Requirements

License required for large family day care homes in which 6 or more unrelated children are in care; no fee for licensing.
-Providers caring for 1-5 unrelated children are legally exempt from regulation; also, if home cares for children less than 4 hours a day, it is not required to be licensed.
-Provisional licenses can be granted due to non-compliance with a rule and because home is not in full operation; provisional licenses have a maximum duration of one year and are subject to review every 3 months during that year.
-Licenses renewed every two years with annual inspections.
-Providers re-submit application, criminal history check, TB test, water quality test if applicable, and an updated home study when inspections are done.
-Provider social security number not required by state law.
-The terms "regular" or "regularly" mean for more than 4 hours but less than 24 hours in each of 10 consecutive days per year, excluding intervening Saturdays, Sundays and holidays.
-"Relative Care" is defined as the relationship to an individual who is less than 18 years of age by marriage, blood or adoption: including parents, grandparents, brothers, sisters, step-parents, step-grandparents, step-sisters, step-brothers, uncles, aunts and first cousins.
-Class I Home: maximum of 12 full time children, plus 3 part time, permitted.
-Staff-child ratios: 1:10, 2:11 or 12; 1:4 when children are under age 16 months; and 1:12 if all children are 3 years of age and older.
-Class II Home: maximum of 16 full-time and part-time children.
-Staff-child ratios: determined by the ages and numbers of children under 16 months and over 16 months; ratio is 2:16 if all children are 3 years of age and over.
-No space requirements in Class I home; 35 sq. ft. per child in a Class II home.
-Providers are not required to reside in the facility; however, the building must be considered a "Residential Structure."
-Liability insurance not required.

Unannounced Inspection Procedure

-GCCH must be inspected prior to licensing; subsequent visits annually and can be unannounced.

Tracking of License Denials or Revocations

-Both denials and revocations are tracked for 3 years.

Complaint Procedure

-To file a complaint, contact the licensing staff or child protection units of local county DFC offices.

-When a complaint is filed, state follows regular child welfare complaint procedures.

-Consequences vary from revocation of license to prosecution, depending on severity of the violation.

Provider Qualifications

-Must be at least 18 years old.

-Providers and other adult members in the house must have initial physical exam (with annual TB test).

-No other adult immunizations required.

-Provider, employees, and all other adult members 18 years old or older in the house are required to submit a criminal history check.

Provider Training and Orientation

-No preservice training/orientation is required.

-CPR/First Aid and Universal Health Precautions are the only on-going training required.

Discipline Policy

-Corporal punishment is permitted with the signed written consent of the parent.

Emergency Medical Consent Policy

-Form is required to be signed by a parent or legal guardian.

Environmental Policy

-Testing for the presence of lead, asbestos, and/or radon is not required for licensure; no financial assistance is available for the inspection for or remediation of the presence of lead, asbestos or radon.

-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children

-Children must be immunized; providers must maintain current records.

-TB skin test no longer required.

-Parents may request in writing an exemption based on religious beliefs.

-Blood lead level screening is not required for entrance into a licensed family child care home.

National Life Safety Fire Code Policy

-Not adopted.

Nutrition Policy
-IN Department of Education is state sponsor for USDA CACFP.

Smoking Policy
-Smoking is allowed without restriction.

Before and After School Programs
-No separate regulations.

Infant Care Programs
-Special regulations in addition to basic regulations.

Programs for Children with Disabilities
-No separate special regulations.
-Providers must comply with guidelines of the ADA.

Sick Child Care Programs
-If a child becomes ill during the day, the child shall be isolated from others.

Zoning Regulations
-Homes are exempt from local ordinances which would prohibit their operation solely because they are a business or impose restrictions greater than those imposed by state licensing.

Available Resources
-No information available.

Local Contact
-The local office of the Division of Family & Children in the county in which they live.

Pending/New Legislation
-None.

IOWA (IA)

Information
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Child Day Care Services
Department of Human Services
Hoover State Office Bldg., 5th Fl.
Des Moines, IA 50319
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FAX: (515) 281-4597

Number of Regulated Homes

- **3,270** family child care homes.
- **1,817** group family child care homes.
- Licensor-provider ratio: no information available.

Definitions and Regulatory Requirements

- **Family Child Care Homes:**
  - Voluntary Registration; no fee.
  - FCCH caring for 6 or fewer children are legally exempt from regulation.
  - Provider may care for 7-11 children at any one time for less than 2 hours, providing no more than 6 children are not attending kindergarten or a higher grade level; provider's child is included if he/she does not go to school.
  - Registration certificates renewed annually through local (county) DHS office.
  - The terms "regular" or "regularly" are not defined.
  - "Relative Care" is defined as an adult relative who provides care in the relative's own home solely for a related child..."
  - Social security number of provider is required.
  - Staff ratio is 1:6 including provider's preschool children with no more than 4 children under 2 years of age at any time.
  - Provider is not required to reside in the home used for care, but is responible for all safety requirements.
  - Liability insurance is not required.
- **Group Family Child Care Homes:**
  - Required Registration.
  - Must have second staff person if 7 or more children are present for 2 or more hours at a time.
  - Allowed to have 7-11 children - never more than 4 under 2 years old; never more than 6 not attending kindergarten or a higher grade level plus 4 additional school age children for 2 hours or less.
  - Must meet certain safety requirements and have quiet area for sick child.
  - Registration certificates are renewed annually through reapplication.
  - Provisional certificates are not issued under any circumstances.
- **Group Family Child Care Homes - Joint Registration**
  - Two providers, both fully qualified adults, may care for a total of 11 children with no more than 4 under 2 years and not more than 10 children ages 2 years to entry into Kindergarten; may also be an additional 4 school age children for less than 2 hours at any one time. Other GCCH requirements apply.

Unannounced Inspection Procedure

-No home inspection required before registration; 20% of FCCH and 20% GCCH are spot checked each year.

-State relies on parents and CACFP staff for notification of deficiencies. Parents are given letter initially explaining their responsibility.

-Complaints are investigated by an unannounced or announced visit, in which the investigator explains care requirements to provider and explores ways to fulfill the requirements.

Tracking of Registration Denials and Revocations

-No tracking is done.

Complaint Procedures

-To file complaint, contact Department of Human Services.

-Consequences for violation depend upon type and severity; if children are in immediate danger, may seek an injunction through County Attorney.

Provider Qualifications

-Provider must be at least 18 years old.

-Must have physician's signed statement, obtained at first registration and at least every 3 years thereafter, on all members of provider's household, stating that all members of household are free from disease or disabilities that would prevent good child care.

-No requirement for providers to be immunized, up to provider's personal doctor.

-Criminal record check done on provider, assistant(s) and family members.

-Child abuse registry check done on provider, assistant(s) and family members.

Provider Training and Orientation

-No preservice training requirement.

-First yr: 2 hours in health and safety; 2nd yr: 10 hours; 3rd yr & up - 2 hours.

-On-going certification in mandatory reporting of child abuse.

-Must also get and maintain certification in first aid and CPR (infant, child and adult).

Discipline Policy

-Discipline shall conform to the following standards:

(a) corporal punishment including spanking, shaking and slapping shall not be used;

(b) punishment which is humiliating or frightening or which causes pain or discomfort to the child shall not be used;

(c) punishment shall not be administered because of a child's illness, or progress or lack of progress in toilet training, nor shall punishment or threat of punishment be associated with food or rest;

(d) no child shall be subjected to verbal abuse, threats, or derogatory remarks about the child or the child's family;

(e) discipline shall be designed to help the child develop self-control, self-esteem, and respect for the rights of others.

Emergency Medical Consent Policy

-Emergency medical forms are required, but they do not have to be notarized.

Environmental Policy

-Testing for the presence of lead, asbestos and/or radon is not a requirement of registration; no financial assistance is available for the inspection for or remediation of the presence of lead, asbestos or radon.
-State regulations do not address the issue of pesticide use near family child care homes in rural areas.

Immunization Policy for Children

-Children must be immunized and current records must be in the family's file with the provider.
-Blood lead level screening is not required for entrance into FCCH or GCCH.

National Life Safety Fire Code Policy

-Not adopted.

Nutrition Policy

-IA Department of Education is state sponsor for USDA CACFP.
-Meals must be well-balanced, nourishing and in appropriate amounts as defined by USDA CACFP.

Smoking Policy

-Smoking allowed; restrictions not addressed; risk factors to children from second-hand smoke not addressed in legal language.

Before and After School Programs

-No separate special regulations.
-FCCH may care for 5 school age children for less than 2 hours in addition to the other children in care.
-GCCH may care for 5 school age children for more than 2 hours with assistant present, plus may care for 4 school age children for less than 2 hours.
-GCCH - Joint Registration may care for 4 school age children for less than 2 hours.

Infant Care Programs

-No separate special regulations.

Programs for Children with Disabilities

-No separate special regulations.
-Providers must comply with guidelines of the ADA.

Sick Child Care Programs

-GCCH and GCCH - Joint Registration shall provide a separate quiet area for sick children.

Zoning Regulations

-Zoning requirements not part of registration requirements but are enforced separately by each city or county.

Available Resources

-Child care resources and referral organizations, CACFP, and other resources depending on local resources.

Local Contact

-Local office of the IA Dept. of Human Services.

Pending/New Legislation

-New 1.5 year pilot project will eliminate the FCCH and GCCH categories to be replaced with a 4 level system of child care homes (chart below):

	Level I	Level II	Level III	Level IV
Infants - less than 24 months	Maximum of 3 at any one time	Maximum of 3 at any one time	Maximum of 3 at any one time	Maximum of 4 at any one time
Preschool - 2 yrs to schoolage	Maximum including infants = 6	Maximum including infants = 6	Maximum including infants = 6	Maximum including infants = 12 with 2nd qualified provider present if more than 7 present
Schoolage attending Kindergarten or higher level	2 for less than 2 hours	4 for less than 2 hours	4 with assistant at least 14 years old when more than 8 present	2 for less than 2 hours
Part time 90 hours per month maximum	(N/A)	2, not infants	2, not infants	2, not infants
Inclement weather when school classes have been canceled	8 maximum	12 maximum with ass't at least 14 years old when more than 8 are present	12 maximum with ass't at least 14 years old when more than 8 are present	16 maximum with qualified ass't at least 18 years old when more than 8 are present

KANSAS (KS)

Information
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Number of Regulated Homes

-**3,573** registered family child care homes.
-**4,496** licensed large family child care homes.
-**598** group child care homes.
-Licensor-provider ratio: varies from county to county.

Definitions and Regulatory Requirements

-Family Child Care Homes:

-Registration: providers caring for 6 or fewer children are required to be registered; annual fee is $5.

-The terms "regular" or "regularly" are defined as follows: when child care is provided for not more than 2 children unrelated to the provider for 20 hours a week or less; total time is determined by adding the hours each child is cared for weekly.

-"Relative Care" is defined as first generation at this time; however, it is currently under research to be able to define it more clearly and in writing.

-Social security number of provider is not required.

-Provider/child ratio: 1:6, with not more than 3 under 18 months; 1:3 if all children are under 18 months.

-Parents must be allowed total access to their children in FCCH.

-FCCH must notify parents of the requirements for registration and parents must sign that they have received this information.

-FCCH must reside in the home used to provide care.

-Large Family Child Care Homes:

-Licensing: 7-10 children must be licensed; annual fee is $15.

-Licenses are reviewed annually.

-Table I - License Capacity:

Maximum Number of Children Under 18 Months	Maximum Number of Children 18 Months to Kindergarten Age	Kindergarten Age to Age 11*	License Capacity
0	7	3	10
1	5	4	10
2	4	3	9
3	3	2	8

*Children kindergarten age and over may be substituted for younger children in the license capacity.

- No provisional licenses issued; a 90 day temporary permit is provided for initial applicants of licensed day care homes.
- Space requirements: for licensed homes - 25 sq.ft. of available indoor play space per child for day care homes; outdoor space requirements not specified.
- If second floors or basements are used in licensed child care homes, they must have fire safety approval.
- Providers are not required to reside in the facility.

-Group Child Care Homes:

- Licensed required; annual fee is $15 and license is reviewed annually.
- GCCH provider may care for 9-12 children; 2 adults may be required.
- Table II - License Capacity, One Adult:

Age of Children Enrolled	License Capacity
2 1/2 years to 11 years of age	9
3 years to 11 years of age	10
Kindergarten Age to 11 years of age	12

- Table III - License Capacity, Two Adults:

Maximum Number of Children Under 18 Months	Maximum Number of Children 18 Months to 2 1/2 Years	Maximum Number of Children 19 Months to Kindergarten Age		Kindergarten Age to Age 11**	License Capacity*
0	5	7	OR	7	12
1	0	8		3	12
2	0	7		3	12
3	0	6		3	12
4	0	4		2	10

* A second person 16 years of age or older shall be present when the number of children exceeds the maximum number allowed by one adult.

**Children kindergarten age and over may be substituted for younger children in the license capacity.

- Must have fire safety approval.
- Providers are not required to reside in the facility.

Unannounced Inspection Procedure

- LCCH and GCCH are inspected before licensing; those providers that are only registering do not have to be inspected.
- Following licensure, subsequent annual visits are made to homes for inspection.
- When a complaint has been filed, usually an unannounced visit is made to the child care home and a complete investigation follows, which may include calling other parents.

Tracking of Registration/License Denials or Revocations

- Both denials and revocations are tracked; has been yearly since 1991; in 1996, 52 licenses were denied and 34 licenses revoked.

Complaint Procedure

-To file a complaint, call or write the local licensing office; anonymous is accepted.

-Consequences are: formal correction order, civil fine up to $500, suspension, or revocation of license; if revoked there is a one year moratorium before the individual can re-apply.

Provider Qualifications

-Provider must be at least 18 years old.

-The provider and anyone 16 years of age or older that lives, works, or volunteers in the day care home is required to have record of a negative TB test or X-ray testing is also required if there has been exposure.

-HIB recommended, but not required. No other adult immunizations required.

-References not required.

-Criminal record check (no fingerprinting) and Child Abuse Registry check done on provider and provider's family members, volunteers, and employees 10 years of age and older. No fee for the check.

Provider Training and Orientation

-FCCH and LCCH: training is required. All homes are required to have first aid training.

-LCCH: additional training is required as follows: providers must submit documentation within 60 days that one of the following requirements has been met: (1) five sessions of observations, not less than 2 1/2 hours per observation, (2) a child development associate credential (CDA), (3) 15 hours of directed readings, videotapes, etc. or (4) employment for not less than three months in a LCCH, GCCH, or child care center which had been in operation for three or more years.

-GCCH: Within 60 days following the initial application for license or employment, one of the following must be met: (1) six months of supervised employment in licensed facilities with children the same age as enrolled in GCCH, (2) 10 hours directed reading and 5 sessions of observations, not less than 2 1/2 hours per observation, (3) CDA, (4) minimum three semester hours of academic credit or equivalent training in child development, early childhood education, and curriculum resources, and supervised observation in high school or college or three months experience with children of the same age as enrolled in GCCH, or (5) requirements for program director of child care center as regulated by rules and regulations.

-Prior to relicensure, provider in LCCH or GCCH shall provide documentation of (1) 5 clock hours of in-service training, (2) 5 hours of directed reading, or (3) current accreditation by National Association for Family Child Care (NAFCC).

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Forms required; only notarized in accordance with the requirements of the medical facility.

Environmental Policy

-Testing for the presence of lead, asbestos and/or radon is not a requirement for licensing; no financial assistance is available for the inspection for or

remediation of the presence of lead, asbestos, or radon.
-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children
-Children in any category of child care must be immunized, as of 1992.

National Life Safety Fire Code Policy
-Has been adopted.

Nutrition Policy
-KS Department of Education sponsors USDA CACFP; (913) 296-2276.
-Nutrition requirements in the regulations.

Smoking Policy
-Smoking is prohibited indoors in registered or licensed homes while children are present.

Before and After School Programs
-No separate special regulations.
-In licensed homes, an overlap time of one hour for 2 children may be requested.

Infant Care Programs
-No separate special regulations.

Programs for Children with Disabilities
-No separate special regulations.
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs
-Regulated by quarantine requirements of the Department.

Zoning Regulations
-Must comply with local ordinances; not enforced by state regulation.

Available Resources
-Information about CACFP, local and state family child care associations, resource and referral services, educational services.
-Office of Child Support Enforcement, DSRS, (913) 296-3237.
-State Home Pages, http://www.state.ks.us/

Local Contact
-County Health Departments and private contractors.
-Call (800) 922-5330 to report suspected child abuse.

Pending/New Legislation
-None.

KENTUCKY (KY)

**Kentucky has two regulatory agencies for family child care: The Cabinet for Families and Children, Department of Social Services, Child Care Services Branch certifies family child care providers caring for 4-6 children. The Cabinet for Health Services, Office of the Inspector General, Division of Licensing and Regulations, licenses providers caring for 7 or more children. Each agency is listed separately.

** DSS, Child Care Services Branch

Information
Supplied By: Lydia Roberts, Manager
CFC, DSS, Child Care Services Branch
275 East Main Street, 6th Floor West
Frankfort, KY 40621
PHONE: (502) 564-2524
(800) 421-1903

Number of Regulated Homes
-**644** certified family child care homes.
-No information available regarding ratio of licensors to homes.

Definitions and Regulatory Requirements
-Certification required for family child care home providers caring for 4-6 unrelated children; fee of $10 is required upon initial application.
-Voluntary certification for a provider if caring for 3 or fewer children; otherwise providers caring for 3 or fewer children are legally exempt from regulation.
-The certification process shall be renewed every 2 years.
-The term "regular" means the provision of child care services in the caregiver's home on more than 1 day in 1 week or more than 10 hours per week.
-"Relative Care" is defined to mean a certified provider's own child, grandchild, niece or nephew, or child in legal custody.
-Social security number is required.
-Provisional certificates are not issued under any circumstances.
-If more than 4 infants are in care, provider shall employ an assistant who must be 16 years of age or older.
-There shall never be more than 6 children under the age of 6 years old including the provider's own or related children; maximum number of children in care shall never exceed 10.
-Space requirement: Indoor areas, including furnishings, used for child care shall contain a minimum of 35 sq. ft. per child.
-A substitute provider is required in the absence of the provider; substitute must be at least 18 years old.

- Providers must reside in the home in which care is provided.
- Liability insurance is required for the provider.

Unannounced Inspection Procedure

- FCCH is inspected before certification is approved and upon renewal; unannounced inspections upon receipt of complaint; annual spot check conducted on certified homes.

Tracking of Certificate Denials or Revocations

- Both are tracked indefinitely.

Complaint Procedure

- Complaints may be filed verbally or in writing to the DSS.
- DSS is mandated to respond to all complaints.
- Denials, suspensions, revocations or refusals to renew will be made in writing to the provider, stating the reasons for the adverse action and the provider's right of appeal.
- Appeals may be made by the provider within 20 days after receipt of the notice of the intended action.
- Provider will be notified of hearing time and location within 20 days of receipt of the request for hearing. All decisions of the hearing officer are final and provider is notified in writing.
- Providers who continue to care for 4-6 unrelated children after the closing date established by DSS will be subject to legal action by CHR under law.

Provider Qualifications

- Providers must be at least 18 years old.
- Two character references are required for the provider.
- A criminal records check is required for the provider, assistant, substitute provider and all adults living in the FCCH.
- A TB test is required of the provider (administered within 30 days of application) and substitute provider; no other adult immunizations required.
- A written physician's statement is required for the provider.

Provider Training and Orientation

- 6 hours of preservice training in basic health, safety and sanitation, recognizing and reporting child abuse and developmentally appropriate child care practices is required for the provider.
- Beginning with the second year of operation, provider must obtain at least 6 hours of training in child development.
- Additional and separate training requirement: current certification in infant and child first aid and infant and child CPR is required.

Discipline Policy

- Physical punishment and placement of a child in a locked or confined space are prohibited.
- Disciplinary methods which humiliate, shame or frighten a child are prohibited; as well as harsh or demeaning language in the presence of the children.
- Discipline shall not be delegated to another child or related to food, rest, toileting, or not sleeping during rest time.

Emergency Medical Consent Policy
-Forms are required, but they do not have to be notarized.

Environmental Policy
-Testing for the presence of lead, asbestos and/or radon is not a requirement of certification; no financial assistance is available for the inspection for or remediation of the presence of lead, asbestos or radon.
-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children
-Enrolled children are required to be immunized.
-Current immunization certificates must be on file for all children in care, including related children.
-Blood lead level screening is not required for entrance into a certified family child care home.

National Life Safety Fire Code Policy
-Not adopted.
-Each floor level used for child care shall have at least one unblocked exit and at least one smoke detector and fire extinguisher.
-FCCH shall have at least one telephone in working order with the emergency number of the fire station posted by each telephone.

Nutrition Policy
-KY Department of Education is state sponsor for USDA CACFP.
-Children are to be served meals which include a food from each of the four basic food groups and snacks appropriate in the amount and type of foods served for the ages of children in care.

Smoking Policy
-Smoking is prohibited in the presence of children in care.

Before and After School Programs
-No separate special requirements.
-No policy concerning overlap time.

Infant Care Programs
-No separate special requirements.

Programs for Children with Disabilities
-No separate special requirements.
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs
-A quiet, separate area, which can be easily supervised, for children too sick to remain with other children is required.

Zoning Regulations
-No special requirements.

Available Resources

-The Cabinet for Families and Children, Department of Social Services, offers resource and referral information, CACFP information, and subsidized child care programs for qualified applicants.

Local Contact

-Local county Department of Social Service offices.

Pending/New Legislation

-None.

**OIG, Division of Licensing and Regulations

Information
Supplied By: Bess Abney, Child Care Program
Section Supervisor
Office of the Inspector General
Division of Licensing and Regulations
Cabinet for Health Services
275 East Main Street, 4th Floor East
Frankfort, KY 40621
PHONE: (502) 564-2800
FAX: (502) 564-6546

Number of Regulated Homes

-154 licensed large family child care homes.
-No information available regarding ratio of licensors to homes.

Definitions and Regulatory Requirements

-Licensing required for FCCH providing care for 7 or more children; initial fee is $80 for a new Type I; $40 for a new Type II.
-Licenses renewed annually; renewal fee is $40 for Type I & II.
-Relicensure involves submission of an application by the provider and an on-site inspection by the licensing agency.
-Kentucky divides child care facilities into two types: I and II; LCCH comes under the Type II description.
-LCCH may provide care for 7-12 children, including provider's own children; when more than 10 children are cared for, an assistant is required.
-No provisional licenses can be issued.
-The term "regularly" means the provision of child day care services at a facility for more than 10 hours per week.
-"Relative Care" means the children, grandchildren, nieces, nephews or children in legal custody of the operator of the facility.
-Social security number is required.
-The age of the youngest child in care determines how many children may be in the home and stay within provider/child ratios; with 1 child 2 years old or younger, no more than 6 children may be cared for; if youngest child is between 2 and 3 years old, no more than 10 children may be cared for. The age of the youngest child in the group determines the staff child ratio.
-Providers are required to reside in the home in which care is provided.
-Liability insurance required prior to licensing.
-Minimum of 2 substitute caregivers required.
-Space requirements: 35 sq. ft. per child inside-exclusive of kitchen, bathroom, and storage areas. If a facility does not have an outdoor play area, the indoor space to be used as a play area must be a minimum of 60 sq. ft. per child using the area at any one time separate and in addition to the 35 sq. ft. minimum as described previously. The area must include gross motor equipment and be well ventilated and heated. The outdoor space shall be adequate for the number of children who are outdoors at the time.

Unannounced Inspection Procedure

-LCCH inspected before licensing; subsequent visits occur during annual renewal and on occasion of complaints.
-When a complaint is filed, an unannounced site visit is made. If the allegation includes abuse/neglect, a joint visit is made with the Department of Social Services.

Tracking of License Denials or Revocations

-Both are tracked for 5 years.

Complaint Procedure

-The Division of Licensing and Regulation is mandated to respond by investigation to any referral alleging non-compliance with licensing regulations; an unannounced site visit is made.
-Consequences: Illegal operators are required to become licensed or face legal action. In licensed facilities, deficiencies are cited; due process for correction is followed; non-correction could result in negative action to pursue revocation of license.

Provider Qualifications

-Provider must be 21 years old.
-TB tests required of provider, assistants, and all adults residing in home; no other adult immunizations required.
-Criminal record checks and fingerprinting required.

Provider Training and Orientation

-6 clock hours of orientation training in early childhood development to be completed within the first 3 months of employment of newly hired employees. CHR core curriculum is required for this purpose.
-Master's degree in ECE/D, no experience required; or Bachelor's degree in ECE/D, no experience required; or Master's degree or a Bachelor's degree in any field other than ECE/D, plus two years full-time paid experience in working with young children in a group; or Master's degree or Bachelor's degree in any field other than ECE/D, plus twelve hours of child development training; or Child Development Associate (CDA), plus twelve hours of child development training; or Associate of Arts degree, plus twelve hours of child development training; or Competency-based vocational training in ECE, plus twelve hours of child development training; or General Equivalency Diploma (GED) or a high school diploma, plus twelve hours of child development training.
-All training must have CHR approval.
-12 clock hours of preservice training are required for directors.
-12 clock hours of on-going training per year are required.
-Certification in CPR and first aid is a separate training requirement.

Discipline Policy

-Corporal punishment prohibited.
-Discipline methods must be in writing and adhere to DCC regulations.
-A positive approach to discipline must be used.

Emergency Medical Consent Policy

-Forms are required, but they do not have to be notarized.

Environmental Policy
- Testing for the presence of lead, asbestos, and/or radon is not a requirement for licensing; no financial assistance is available for the inspection for or remediation of the presence of lead, asbestos or radon.
- State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children
- Children are required to be immunized; records must be on file within 90 days of enrollment and kept current.
- Blood lead level screening is not required for entrance into a licensed family child care home.

National Life Safety Fire Code Policy
- Federal Fire Safety Code enforced by State Fire Marshal's Office.

Nutrition Policy
- KY Department of Education is the state sponsor for USDA CACFP.
- Children are to be served meals which include a food from each of the 4 food groups following the guidelines of USDA.

Smoking Policy
- Smoking is allowed; however, smoking can only take place in designated areas away from the children.

Before and After School Programs
- No separate special requirement.
- No policy regarding overlap time.

Infant Care Programs
- Separate area for infants is required.
- Hygienic practices related to infant care addressed by regulations; age appropriate activities.

Programs for Children with Disabilities
- No separate special regulations.
- Providers must comply with guidelines of the ADA.

Sick Child Care Programs
- Sick child is prohibited from staying in day care while sick.

Zoning Regulations
- FCCH must comply with local ordinances; zoning ordinances must be met as a prerequisite to licensure.

Available Resources
- CHR, DSS offers statewide child care resource and referral network, subsidized child care programs, and Bill of Rights for Parents and Children who receive child care; also child care advisory council.

Local Contact
-Regional office of the Cabinet for Health Services, Division of Licensing and Regulations for licensed homes.

Pending/New Legislation
-None.

LOUISIANA (LA)

Information
Supplied By: Linda B. Lambert
Family Day Care Home Program
Department of Education
P.O. Box 94064
Baton Rouge, LA 70804-9064
PHONE: (504) 342-3997
FAX: (504) 342-3305

Number of Regulated Homes

-10,000 family child care homes.
-Licensor-provider ratio: no information available.

Definitions and Regulatory Requirements

-Registration
 -only mandatory when caring for 6 or less children and receiving state and/or federal funds.
 -providers not receiving state and/or federal funds caring for 1-6 children are exempt from regulation, but may voluntarily register.
-Annual fee - $5.00; for CACFP participants, $30.00 for State Fire Marshal Inspection.
-Provisional licenses not applicable.
-Social security number required if receiving federal funds (not for CACFP).
-The term "regular" is not defined.
-"Relative Care" is not defined for registered CACFP participants.
-Provider/child ratio is 1:6.
-Requires annual approval by State Fire Marshal; CACFP may have more.
-Providers are required to reside in the home.
-No Group Family Child Care Home category:
 -Facilities caring for 7 or more children are licensed as centers.

Unannounced Inspection Procedure

-Annual registration renewal visits and other unannounced visits are conducted.

Tracking of Registration Denials or Revocations

-FCCH denials or revocations are tracked; information is entered into the computer system according to individual provider and can be accessed by the State.

Complaint Procedure

-To file a complaint against a registered provider, contact Department of Social Services, Child Abuse, or Education, or the State Fire Marshal.
-Depending upon nature of complaint, an unannounced visit may be appropriate.
-Consequences include possible loss of registration and all funding.

Provider Qualifications
-Provider must be at least 18 years old; no other special qualifications.
-No information about adult immunization requirements.

Provider Training and Orientation
-Providers for CACFP funds must participate in one orientation sponsored by agency.
-Providers for CACFP funds must participate in a minimum of one yearly group training session, length and topics vary by sponsor.
-No required orientation or training for other funded FCCH.
-All registered FCCH may attend free training programs.
-CPR and first aid is not required.

Discipline Policy
-Providers in CACFP may not use food as means of discipline.
-Providers must comply with state child abuse and neglect laws.

Emergency Medical Consent Policy
-Not required.

Environmental Policy
-Testing for the presence of lead, asbestos or radon is not a requirement of registration; no financial assistance is available for the inspection for or remediation of the presence of lead, asbestos or radon.
-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children
-Not required.
-Blood lead level screening is not required for entrance into registered family child care home.

National Life Fire Safety Code Policy
-All registered providers inspected by State Fire Marshal.

Nutrition Policy
-LA Department of Education is state sponsor for USDA CACFP.
-If provider participates in CACFP, they must follow guidelines; otherwise no nutrition policy.

Smoking Policy
-No policy regarding registered family child care homes.

Before and After School Programs
-No separate special regulations.
-No policy regarding overlap time.

Infant Care Programs
-No separate special regulations.

Programs for Children with Disabilities

-No separate special regulations.
-Must comply with the guidelines of the ADA.

Sick Child Care Programs

-No separate special regulations.

Zoning Regulations

-Up to local authorities to enforce as appropriate.

Available Resources

-CACFP offers free training to registered homes on child growth and development, fire safety, and health.

Local Contact

-Local offices of FCCH sponsoring agencies.
-Local Department of Social Services offices.

Pending/New Legislation

-None.

MAINE (ME)

Information
Supplied By: Conrad Thibault, Director
Division of Licensing, CCU
Bureau of Child and Family Services
State House Station 11
Augusta, ME 04333
PHONE: (207) 287-5060
FAX: (207) 287-5282

Number of Regulated Homes

-**1,240** registered family child care homes.
-**1,125** licensed family child care homes.
-Licensor-provider ratio: 1:215; optimum ratio would depend on physical inspection requirements.

Definitions and Regulatory Requirements

-licensed or registered - providers caring for 3-12 unrelated children have a choice to license or register; those caring for only 1-2 children are legally exempt from regulation.
-Licenses renewed annually; $10 fee, offsets fire inspection costs.
-Registered providers pay $20 fee every 2 years.
-The 1st license granted to new applicants is provisional for one year.
-The term "regular" is used as part of the definition of child care. The licensing agency uses its discretion as to what "regular" means; there is no rule; only rules for "occasional" care as in ski areas, malls, etc.
-"Relative Care" is related by blood or marriage.
-Social security number of provider is required.
-Licensed single provider, including their own child(ren), may care for:
  a) 4 children under 2, or
  b) 8 children over 2, plus 2 school age children, or
  c) 12 all school age children, or
  d) Mixed ages--no more than 3 under age 2 with maximum of 6 plus 2 school age.
-Licensed providers with one additional staff, including children of provider and staff, may care for:
  a) 8 children under 2, or
  b) 12 children over 2, or
  c) 12 all school age children, or
  d) Mixed ages - no more than 3 under age 2 per staff with a maximum of 12.
-Licensed providers with two additional staff, including children of provider and staff, may care for 12 children, no matter the ages.
-Space requirements: 35 sq. ft. per child inside the facility, excluding kitchens, hallways, bathrooms; outside requirement - adequate for safe play.
-Providers are required to reside in the home used to provide care.
-**No separate Group Family Child Care Home category.**

Unannounced Inspection Procedure

- Homes inspected before licensing; annual unannounced inspections follow initial inspection; also inspected by the Fire Marshal to verify compliance to rules.
- All complaints are screened by an Investigations Unit; unannounced visits are required.

Tracking of License/Registration Denials or Revocations

- No tracking is done.

Complaint Procedure

- To file a complaint, write or call Licensing Unit or Child Protective Services.
- Consequences depend on the violation; can revoke license as ultimate sanction.

Provider Qualifications

- Provider must be at least 18 years old.
- Providers in licensed homes, born after 1956, must have MMR, HIB, immunization and TB screenings; other household members are not included in this policy.
- Licensed providers required to have 3 written references.
- Criminal record check done.
- Aides and assistants also must be 18 years of age; aides or assistants ages 16-18 not counted as staff; must be under direct supervision of the provider.
- Helpers must be over age 14 in registered homes.

Provider Training and Orientation

- Orientation required for licensed providers.
- 6 hours of training in child care, early childhood education, business of family child care, or child development within the first license year and every year thereafter.
- Provider must supply orientation for aides and assistants.
- Certification in first aid and CPR at least every 3 years also.

Discipline Policy

- Corporal punishment prohibited.
- Practices detrimental to children are prohibited.

Emergency Medical Consent Policy

- Form required for licensed providers, but does not have to be notarized.

Environmental Policy

- Testing for the presence of lead, asbestos or radon is not a requirement of licensure or registration; no financial assistance is available for the inspection for or remediation of the presence of lead, asbestos or radon.
- State regulations indirectly address the issue of pesticide use near family child care homes located in rural areas; well water is tested in all cases, for example.

Immunization Policy for Children

- Children must be immunized in licensed homes, including Hib; but not in registered homes.
- Providers are responsible for maintaining current records.

-Blood lead level screening not required for entrance into a family child care home.

National Life Safety Fire Code Policy
-The State Fire Marshals who do the inspections use the Code.

Nutrition Policy
-Is state sponsor for USDA CACFP.
-Requirements must comply with CACFP.

Smoking Policy
-Smoking is against state law in any child care facility while children are under care.

Before and After School Programs
-Special regulations only if FCCH services only school age children.
-No policy regarding overlap time; providers must be in compliance with the child/staff ratios.

Infant Care Programs
-Special additional rules for licensed providers caring for children 6 weeks to 36 months of age.
-No child under 6 weeks of age as verified by birth certificate may be cared for in a licensed facility.
-Extensive requirements relative to feeding, diapering, napping, bedding, developmentally appropriate activities and immunizations.

Programs for Children with Disabilities
-Providers must have experience and training documented to meet the special needs of the children.
-Parents must supply adequate information about the child's special needs.
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs
-No special regulations; guidelines exist for when sick children can return to child care; parents must remove obviously ill children from child care.

Zoning Regulations
-Licensed providers, not registered, must comply with local ordinances.

Available Resources
-Many included in provider packet.

Local Contact
-Department of Human Services at the state level.

Pending/New Legislation
-Bill to work toward the establishment of a single regulatory system for FCCH; legislation passed in 1997 to be effect 7/1/98.

MARYLAND (MD)

Information
Supplied By: Linda Heisner
Executive Director
Child Care Administration
311 W. Saratoga Street, 1st Floor
Baltimore, MD 21201-3521
PHONE: (410) 767-7128
FAX: (410) 333-8699

Number of Homes

-**12,292** family child care homes.
-Licensor-provider ratio: 1:122; goal is to achieve a ratio of 1:100.

Definitions and Regulatory Requirements

-Registration required; no fee; renewed every 2 years.

-Provisional registrations may be issued after determining that the health and safety of children would not be endangered. Typically, provisional registrations are issued while minor renovations are made to the home to bring it into full compliance with the Life Safety Code or while awaiting the results of a criminal record check at either the state or federal level. The results of the record check at one level must be received in order to issue a provisional registration.

-Provisionals are issued for up to 120 days and may be extended, if necessary.

-Social security number of provider, adult residents of the household, and children are required.

-The terms "regular" or "regularly" is not defined as it relates to family child care; however, regulation states a family child care home is not required to be registered if the provider is a friend of each child's parent or legal guardian and the care is provided on a non-regular basis less than 20 hours a month.

-"Relative Care" is defined as a person related to a child by blood, marriage, or adoption and includes parent, grandparent, brother, sister, stepparent, stepsister, stepbrother, uncle, aunt, first or second cousins, great grandparents, great uncle, and great aunt. Care provided by a relative is not considered to be regulated child care.

-Providers may have maximum of 8 children with no more than 2 children under age 2. If a second adult is present to assist in caring for children, 4 children under age 2 may be enrolled. The Child Care Administration may limit the number of children cared for based on several factors: the number and ages of the provider's own children, available space and equipment, number of residents in the home, responsibility of the provider to care for another person, applicable fire, zoning, or other codes.

-Provider does not have to live in the house in which care will be given. The residence must meet requirements and be occupied. The persons residing in the residence must meet the requirements for residents.

-Liability insurance is required if the provider's facility is located in an area covered by a Homeowner's or Condominium Association.
-Providers are required to give parents of children enrolled in their homes copies of a consumer education pamphlet on regulated child care called Making the Difference for Your Child.
-**No provision for Family Group Child Care Homes**. MD requires facilities caring for more than 8 children to meet child care center regulations.

Unannounced Inspection Procedure

-Inspection visits are required prior to registration, and at the time of renewal (every 2 years). Visits are also made in response to complaints. Visits may be unannounced.

Tracking of Registration Denials or Revocations

-Both have been tracked since 1988.

Complaint Procedure

-Complaints may be made verbally by telephone, anonymously, in person, or in writing, to the Child Care Administration.
-A complaint is a verbal or written statement of non-compliance with the regulations.
-Complaints are followed by unannounced on-site inspections (except in some cases of simple unregistered care, where a cease and desist letter is sent). A report of findings is submitted and a conference with supervisory staff is held to conclude the investigation and determine the further course of action, if needed. Complaints involving child abuse or neglect are immediately referred to Protective Services and police, to ensure their participation in the investigation.
-Substantiated complaints may result in the requirement for remedial training, restrictions, reduction in capacity, increased monitoring, suspension or revocation of registration, or denial of registration renewal.
-The court may impose a fine of up to $1000 on any person found to be operating in violation of the regulations.

Provider Qualifications

-Provider must be 18 years of age or older.
-The medical report forms for providers and adult residents of households call for a TB test if needed, as determined by the physician, or if required by the local Health Officer.
-No adult immunizations are required.
-Three written references required (not relatives).
-Criminal record check and Child Abuse Registry check required of provider and household residents over age 18.

Provider Training and Orientation

-Attendance at an orientation session is required to learn about regulations and to receive an application.
-Training is required prior to registration (9 clock hours) and continued training is required for registration renewal (12 clock hours).
-Within the 2 year period prior to initial registration and every 2 years prior to registration renewal, an individual must have 6 hours of training on child health related issues. Three clock hours of training in child development,

age appropriate activities for children, or topics associated with the operation of a family child care home are required prior to the initial registration and 6 clock hours are required in these areas every 2 years prior to renewal.
-CPR and first aid are not required, but can be part of training on child health related issues.
-Unpaid volunteers in child care facilities, including family child care homes, must be given an orientation training in hand washing procedures, discipline policies, procedures for reporting child abuse and neglect, and guidelines for interacting with parents. Providers must keep a listing of volunteers not on the premises more than once a week with the date each volunteer received orientation and personnel records for each volunteer on the premises more than once a week with a brief statement of duties, a medical report, and the date of orientation. Criminal records checks are recommended for volunteers, and special requirements are specified for teenage volunteers fulfilling their community service requirement for high school graduation.

Discipline Policy
-The provider or substitute shall use procedures for disciplining a child that are appropriate to the age and maturity of the child and that do not include the deliberate infliction in any manner of any type of physical pain or emotional harm, including physical disciplines, such as: spanking, hitting, shaking, or emotional disciplines, such as: shaming or ridiculing.

Emergency Medical Consent Policy
-Form is required, but it does not have to be notarized.

Environmental Policy
-Testing for the presence of lead, asbestos and/or radon is not a requirement for registration; no financial assistance is available for the inspection for or remediation of the presence of lead, asbestos or radon.
-Child Care Administration regulations do not address issues of pesticide use near family child care homes in rural areas.
-Providers are required to notify parents about animals in their homes before admitting their children and to notify parents if they acquire new animals. There are guidelines for where animals may be kept and their care.

Immunization Policy for Children
-Children are required to be immunized.
-Provider is responsible to see that immunizations are current.
-Blood lead level screening is required within 30 days of admission into registered family child care homes.

National Life Safety Fire Code Policy
-The State Fire Marshal and the local fire departments have adopted the National Life Safety Fire Code for FCCH inspections.
-The Child Care Administration's regulations require that applicants must pass fire inspections prior to registration.

Nutrition Policy
-Nutritious meals and snacks must be served at regular and age-appropriate intervals; food may be supplied by parents or providers.

-CACFP has various sponsors in Maryland: including the Planning Council (Norfolk, VA - 17 programs); local Social Service Departments (4 programs); local public schools (2 programs); and the local Health Department (1 program).

Smoking Policy

-Smoking is allowed in FCCH; however, caregiver may not smoke while engaged in caregiving activities requiring direct physical contact with children, including: feeding, diapering, dressing and rocking.
-Parents must be informed, in advance of placement, if anyone in the household smokes.

Before and After School Programs

-No provision for overlap time for integration of school age children; child/staff ratios must be maintained at all times.
-A child under 6 years of age must be supervised by an adult while walking to and from the bus stop, while waiting for the bus, or while walking to and from school. For children 6 years and older, the parents and provider must assess each child's readiness to travel unaccompanied by an adult on an individual basis and prepare written statements clearly indicating the basis of their decision.

Infant Care Programs

-Regulations are contained within the chapter (Code of Maryland, Regulations 07.04.01, Family Day Care Registration).

Programs for Children with Disabilities

-Regulations are contained within the chapter (see above).
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs

-No separate special regulations; children who are acutely ill may not be admitted.

Zoning Regulations

-Child care homes must comply with local ordinances. Recent legislation prohibits family child care homes from being construed as small businesses.

Available Resources

-CACFP, local Child Care Associations, Resource and Referral Network, Maryland Committee for Children, State Purchase of Care Program, and a grant program which assists providers in meeting the costs of becoming registered.

Local Contact

-Regional offices of Child Care Administration.

Pending/New Legislation

-None.

MASSACHUSETTS (MA)

Information
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One Ashburton Pl., Rm. 1111
Boston, MA 02108
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FAX: (617) 626-2028

Number of Regulated Homes

-**10,993** family child care homes.
-Licensor-provider ratio: 1:392.

Definitions and Regulatory Requirements

-Licensure required; $75 fee for initial license, plus $75 renewal for every 3 years; independent, approved assistant, $50 fee.
-Provisional licenses are not issued under any circumstances, but a license may be issued for less than 3 years.
-The term "regular" means the FCCH operates for more than 1 day per week and more than 8 weeks in a 12 month period.
-"Relative Care" is when all children in care are related to the caregiver by blood, marriage or adoption.
-Providers may care for maximum of 6 children under the age of 7, including participating children living in the home; provider/infant ratio is 1:3. [One of the three must be 15 months of age and walking.]
-Provider social security number is requested, but optional.
-Provider is not required to reside in the home, but someone must be living in the home where the care is being provided.
-Liability insurance not required.
-Space requirements: Indoor - 150 sq. ft. for care of 1 or 2 children, 225 sq. ft. for care of 3-6 children; outdoor - 75 sq. ft. per child in care.
-**Large Family Child Care Homes.**
 -Regulations allowing 10 children with 2 caregivers became effective 8/8/97.

Unannounced Inspection Procedure

-Inspection of FCCH prior to or within 6 months of licensure; subsequent visits made on complaints and for monitoring.
-99% of licensees visited prior to licensure.
-Licensing study visits are generally announced; complaint visits are generally unannounced.

Tracking of License Denials or Revocations

-Both are tracked by computer.

Complaint Procedure

-To file a complaint, orally or in writing contact the Office of Child Care Services.

-When a complaint has been filed, the licensor or investigator will conduct an unannounced monitoring visit and collateral contacts, if appropriate.
-Consequences are as follows: Cited given between 0-30 days to comply, or legal order including: Emergency Deficiency Correction Order, Deficiency Correction Order, Emergency Suspension, a Show Cause to Revoke, fines, or sanctions.

Provider Qualifications

-FCCH must be 18 years old.
-Provider shall submit evidence, at the time of application of: Immunity for MMR; a negative Mantoux TB test; a physical examination, including any limitations in working with young children.
-The physical must be renewed every 3 years.
-Two written references required.
-Employer references may be required if person applying for registration has been employed outside home within 5 years prior to application.
-Criminal record checks done on provider, all family members age 17 and over, persons regularly on premises, approved assistants, and household member assistants.

Provider Training and Orientation

-New applicants: 3 hour orientation approved by the Office using the resource guide "Establishing a Successful Family Day Care Home" developed by the Office.
-CPR and First Aid certification is a separate preservice and on-going training requirement.
-Renewal applicants: 15 hours of training every three years is required; training must be relevant to the care of young children.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Forms are required, but they do not have to be notarized.
-Parental permission required for the administration of CPR and First Aid.

Environmental Policy

-Testing for the presence of lead, asbestos and/or radon is not a requirement for licensing; no financial assistance is available for the inspection for or remediation of the presence of lead, asbestos or radon.
-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children

-Children are required to be immunized; according to the public health schedule, provider is responsible for obtaining up to date information.
-Blood lead level screening is required within 30 days of enrollment into a licensed family child care home.

National Life Safety Fire Code Policy

-Not adopted.

Nutrition Policy

-MA Department of Education Bureau of Nutrition is state sponsor for USDA CACFP.

-Children shall be offered one snack or meal, if in care for less than 4 hours and shall be offered regularly scheduled meals and snacks, if in care 4 hours or longer. Infants and toddlers shall be fed according to their individual feeding schedule or needs. The provider shall not force children to eat.

Smoking Policy

-No smoking in child care space when a child care child is present.

Before and After School Programs

-No special regulations, expect for school age children above the age of 7 who are cared for in a FCCH are exempted from licensure when no child under age 7 is in care.

-No policy regarding overlap time for school age children integrated with other children in FCCH; child/staff ratio must be maintained.

Infant Care Programs

-When caring for very young children, the provider shall ensure that:

- -At no time a child is left unattended in an infant seat on a table, or on a changing table;
- -At no time a child is left awake and unattended in a crib, infant seat on the floor, or playpen for a period of time exceeding 15 minutes;
- -A supply of clean, dry diapers adequate to meet the needs of the children in care is maintained and that each child's diaper is promptly changed whenever wet or soiled;
- -Proper diapering procedure are followed, which prevent the spread of diseases in FCCH and which follow good hygiene practices including sanitizing, handwashing, use of individual diapering topical ointments, and the use of individual or disposable changing materials;
- -A change of clothing is provided for each child;
- -Personal items such as bottles, baby food, pacifiers, formula, etc., must be either labeled with the child's name or be distinctly different in appearance (i.e. size, shape, color, etc.) At no time may one child's personal items be used by another child; and,
- -Young children must have a balance of activities, including the ability to freely explore the FCCH at least part of each day.

Programs for Children with Disabilities

-The provider shall make reasonable accommodations to serve a child with a disability, unless the accommodations would impose an undue hardship on the FCCH.

Sick Child Care Programs

-Care of mildly ill children:

- -The provider may care for children who are mildly ill. If a child becomes ill during the day, the provider must notify the parents.
- -When caring for a mildly ill child, the provider must meet his or her individual needs for food, drink, rest, play materials, comfort and appropriate activities as indicated by the health condition of the child.

Zoning Regulations
-Zoning Act: Use of residence as a licensed FCCH is permitted under local zoning laws except where the city or town expressly acts to regulate or prohibit FCCH. Since most local zoning laws don't address FCCH, amendment changes presumption to prove that FCCH is a legal use. Boston passed a zoning amendment which allows FCCH to be an accessory use in a private residence.

Available Resources
-Child care resource agencies statewide.

Local Contact
-Local Office for Children.

Pending/New Legislation
-Require liability insurance for family child care providers.

MICHIGAN (MI)

Information
Supplied By: Ted de Wolf, Director
Department of Consumer & Industry Services
Bureau of Regulatory Services
7109 W. Saginaw Street, 2nd Floor
P.O. Box 30650
Lansing, MI 48909-8150
PHONE: (517) 373-8300
FAX: (517) 335-6121

Number of Regulated Homes

-**13,591** family child care homes.
-**3,431** group child care homes.
-Licensor-provider ratio: 1:257 (includes center based care).

Provider Regulations

-Registration required; FCCH may have 1-6 children; a $25 fee is required.
-Provisional licenses are given for 6 months for either a temporary license (original issuance) or for not being in compliance (Adverse Action).
-Certificates are given to providers at original issuance and renewal.
-Certificates of registration renewed every three years via the mail.
-The term "regular" is not defined, except in the definition of regulated care as in "periods less than 24 hours per day"and to an unrelated minor "for more than 4 weeks during a calendar year."
-"Relative Care" means a parent, grandparent, brother, sister, stepparent, stepsister, stepbrother, uncle, aunt, cousin, great aunt, great uncle, or step grandparent related by marriage, blood or adoption.
-Social security number of provider is required on the supplemental application.
-Staff ratio is 1:6, including family members under 7 years old; no more than 4 children under 30 months and no more than 2 of those children can be under 18 months.
-Space requirements: 35 sq. ft. indoors; 400 sq. ft. for FCCH and GCCH outdoors.
-Providers are required to reside in the home used to provide care.
-Proof of furnace inspection and signed statement indicating fire extinguishers, rated 2a-10BC, have been bought and mounted on each floor used by children in care is required; also a smoke detector is placed on every floor - all prior to initial application process.
-Liability insurance not required.
-Substitute caregiver required for emergencies.
-**Group Family Child Care Homes:**
  -Provides care for 7-12 children.
  -Provider/child ratio - 1:6.
  -Licensed required, with renewal every 2 years following on-site visit.
  -Special requirements include fire safety provisions for child occupancy above 2nd floor; emergency alarm and procedures; nighttime care, and fire extinguishers.

Unannounced Inspection Procedure

-FCCH inspected within 90 days of receiving registration; 10% random sampling of homes annually; visits usually scheduled. Division may not return unless complaint warrants unannounced visit; renewed every 3 years (self-certification).

-Once a complaint has been made, depending on the seriousness of the violations, investigation is to begin within 1 - 5 working days; this can include an unannounced visit if the violations warrant it; low risk complaints can be handled at the next licensing visit.

-GCCH: Licensing consultants make unscheduled visits to group homes annually to confirm ongoing compliance with rules and offer consultation and assistance.

Tracking of Registration/License Denials or Revocations

-Both denials and revocations are tracked forever.

Complaint Procedure

-To file a complaint, contact Division of Child Day Care Licensing, either at the local or central office level; verbal or written complaint can be filed.

-Consequences are a correction of the violations; can also include a warning letter; change to a provisional license; refusal to renew, or a revocation of the license/registration.

Provider Qualifications

-Provider must be at least 18 years old.

-All adult members of the home (14 yrs. of age and older) are required to have TB tests prior to initial application and every 3 years thereafter.

-A signed statement by a licensed physician which attest to the health of the provider applicant.

-No other adult immunizations required.

-Three written and signed references required.

-Criminal record clearance and Protective Services Clearances required for provider and family members 18 years and older; fingerprinting not required.

Provider Training and Orientation

-Family child care orientation class required for all new providers.

-FCCH providers must complete within 3 years of registration first aid training and both adult and child CPR.

-GCCH must complete within 2 years of being licensed 20 clock hours of training related to care of children, including first aid, CPR, and 8 hours of child development; Child Abuse Central Registry also reviewed.

Discipline Policy

-Corporal punishment including spanking prohibited; a written discipline policy in each FCCH/GCCH home is required.

Emergency Medical Consent Policy

-Form is required.

-Notarization is encouraged because hospitals are more likely to trust it if it has been notarized.

Environmental Policy

-Testing for the presence of lead, asbestos or radon is not a requirement of registration or licensure; no financial assistance is available for the

inspection for or remediation of the presence of lead, asbestos or radon.
-Recent child care legislation requires child care providers to inform parents when pesticides have been used near the child care facility.

Immunization Policy for Children
-Children are not required to be immunized, although the provider is required to obtain a health record on each child which includes any immunizations.
-Provider is responsible to maintain current and accurate health record.
-Blood lead level screening is not required for entrance into a registered or licensed family child care home.

National Life Safety Fire Code Policy
-Have not been adopted.

Nutrition Policy
-MI Department of Education is state sponsor for USDA CACFP.
-Nutritional guidelines comply with USDA CACFP.

Smoking Policy
-No smoking allowed on the premises during hours of operation for FCCH and GCCH.

Before and After School Programs
-No separate special regulations.
-Overlap time for the integration of school age children into a FCCH/GCCH caring for younger children is not allowed; child/staff ratio must be maintained at all times.

Infant Care Programs
-No separate special regulations.

Programs for Children with Disabilities
-No separate special regulations.
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs
-No complete prohibition against sick children; isolate the child, if necessary; report to parent immediately re: sickness.
-Written permission from parent required for administering medication.

Zoning Regulations
-Providers are expected to comply with local ordinances. However, a license or certificate of registration will be issued as licensing law does not require such compliance.

Available Resources
-(4 C's) Community Coordinated Child Care; MI Family Child Care Alliance.

Local Contact
-The Family Independence Agency Office in the county in which one lives.

Pending/New Legislation
-None.

MINNESOTA (MN)

Information
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Dept. of Human Services
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St. Paul, MN 55155-3842
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Number of Regulated Homes

-**15,559** family and group child care homes [MN does not break it down].
-Licensor-provider ratio: 1:50-200+, depending on the county.

Definitions and Regulatory Requirements

-Licensed required; no fee; renewed up to every 2 years through reapplication procedure.
-Provisional licenses are not issued under any circumstances.
-Social security number of provider is not required.
-The term "regularly" or "regular basis" means a cumulative total of more than 30 days within any 12 month period.
-"Relative Care" means a spouse, parent, natural or adopted child, step child, step parent, step brother, step sister, niece, nephew, adoptive parent, grandparent, sibling, aunt, uncle or legal guardian. Persons falling within this degree of relationship are excluded from being licensed for family child care.
-Staff/child ratio: FCCH - 1:10, with 3 infants and toddlers and no more than a maximum of 6 preschool age children and 4 school age children
-Infants defined by MN as 12 months and under, toddlers as 12-30 months; ratios include provider's own children 11 years of age and under.
-MN Statute allows for persons to be licensed in homes other than where they reside as long as they are the primary caregiver and the facility meets the definition of a residence or dwelling.
-Liability insurance strongly encouraged; if provider has insurance less than $100,000/person and $250,000/occurrence, or no insurance, written notice of level of coverage must be given to and signed by parents of each child in home.
-Substitute caregivers restricted to 30 days per 12 month period.
-Space requirements: Inside, 35 sq. ft./child; outside, 50 sq. ft. per/child.
-**Group Family Child Care Homes:**
  -May care for 10, 12, or 14 children.
  -Must adhere to following staff ratios:
    a) 10 children: maximum of 3 infants and toddlers--only 2 may be infants; 2 must be school age; one provider.
    b) 12 children: maximum of 2 infants and toddlers--only 1 may be an infant; 2 must be school age; one provider.
    c) 14 children: maximum of 4 infants and toddlers--only 3 may be infants; 2 must be school age; two providers.

Unannounced Inspection Procedure

- Homes inspected prior to licensing; subsequent visits at relicensing-advance notice may be given; however, many county agencies make unannounced visits.
- When a complaints is filed, the county may or may not make an unannounced visit; however, many county agencies make unannounced visits.

Tracking of License Denials or Revocations

- Both denials and revocations are tracked continuously since 1987.

Complaint Procedure

- Complaints are handled by the county social service agencies who are responsible for initial licensing, relicensing and investigation of complaints.
- Depending on the nature and severity of the violation, the sanctions may include one of the following: a correction order, probation, suspension, suspension followed by probation, revocation, or immediate suspension.

Provider Qualifications

- Provider must be at least 18 years old.
- Provider and all adult caregivers assisting with care must have physical exam within 12 months of licensing.
- No adult immunizations required.
- Three references required.
- Criminal record checks required; statute currently does not allow expenses for criminal records' checks to be passed on to the provider.

Provider Training and Orientation

- No preservice training required before license granted.
- FCCH must have 9 hours of CPR within 1 year of or 1 year prior to licensing.
- GCCH must meet one of three separate qualification requirements to begin GCCH care; the first option is a minimum of 1 year's experience as a licensed FCCH and the other two options are combinations of experience as a provider, teaching assistant, nurse, etc. coupled with specified hours of training or child development education.
- 6 hours of training required annually in topics such as child development, child abuse, communicable disease prevention, parent-provider relationships, communication skills, community resources and services for children, behavior guidance, fire safety, injury prevention, learning activities, assessment of child's needs, care of bilingual or non-English speaking children, care of children with special needs, nutrition and food safety, cultural diversity and/or business management.

Discipline Policy

- Corporal punishment prohibited.

Emergency Medical Consent Policy

- Medical consent form required; but it does not have to be notarized.

Environmental Policy

- Testing for the presence of lead, asbestos, and/or radon is not required for licensing; no financial assistance is available for the inspection for or remediation of the presence of lead, asbestos or radon.

-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children

-Children must be immunized.
-Provider is responsible for having current immunizations records which are checked at relicensing by social or relicensing worker.
-Blood lead level screening is not required for entrance into FCCH/GCCH.

National Life Safety Fire Code Policy

-Not adopted.

Nutrition Policy

-MN Department of Education is state sponsor for USDA CACFP.
-Most providers participate in CACFP; if they don't, sample menus are provided.

Smoking Policy

-Smoking is not allowed in licensed day care home during child care hours.

Before and After School Programs

-Homes that care for more than 10 school age children are required to be licensed as a day care center; if less than 10 school age children, it is licensed as family child care home.
-No policy regarding overlap time for integration of school age children into the home; child/staff ratios must be maintained at all times.

Infant Care Programs

-No separate special regulations.

Programs for Children with Disabilities

-No separate special regulations.
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs

-No special regulations; a provider can decide for herself if she will accept a sick child into her home.

Zoning Regulations

-1990 Legislature made family child care for 14 or less children a permitted single-family residential use.

Available Resources

-A list is available of county associations and state association, and food programs within the county.

Local Contact

-County Department of Social Services for family child care homes.

Pending/New Legislation

-None.

MISSISSIPPI (MS)

Information
Supplied By: Diane Herring, Director
Department of Health
Division of Child Care
P.O. Box 1700
Jackson, MS 39215-1700
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FAX: (601) 960-7948

Number of Regulated Homes

- No voluntarily registered family child care homes.
- 163 group family child care homes
- 1700 alternate approval homes as reported through CACFP Sponsors
- Licensor-Provider ratio: 1:225 (average for licensed facilities)

Definitions and Regulatory Requirements

- Voluntary registration for homes caring for 1-5 children; fee is $5.
- Providers caring for 5 or fewer children are exempt from regulation, unless receiving state and/or federal funds.
- Social security number of provider is required for records checks, which is mandatory for license application; forms should be revised to include social security number.
- The term "regular" means 3 or more days per week or operations lasting over 3 weeks annually.
- "Relative Care" means kinship/relationship within the 3rd degree is an exemptions from licensure, regardless of number, when 5 or fewer children unrelated to operator are cared for.
- Liability insurance not required.
- Annual license renewal upon completion of inspections & submission of fee.
- Space requirements: 35 sq. ft. of usable space per child inside; 70 sq. ft. of fenced area per child outside.
- **Group Family Child Care Homes:**
  - Licensing required
  - Annual fee is $30 up to $200, depending on the number of children.
  - Provisional licenses issued only with initial application; not to exceed 6 months.
  - Allows up to 6 -12 children in an occupied residence.
  - Regulations drafted.
  - Infant ratio 1:5.

Unannounced Inspection Procedure

- Inspections occur before license is issued; thereafter at least twice a year.
- No staff nor funding to increase current inspections - random unannounced site visits only deterrent to non-compliance.

Tracking of Registration Denials or Revocations

-No tracking system until homes begin participation in registration program.

Complaint Procedures

-No information available.

Provider Qualifications

- Provider must be at least 21 years old.
- No physical exam or TB test required; health statement required before licensing.
- MMR is only other adult immunization test required.
- Provider or anyone else in the FCCH who lives there or spends a significant amount of time at the day care home when the children are there cannot be carrying an infectious disease.
- Provider cannot be a disabled person who needs a guardian and/or conservator.
- No information about number of references required.
- Sex offense and child abuse registry checks required.
- Criminal record checked for crime against persons, drugs, child abuse, sex offense, or any other offense related to the job of child care provider; and felony charges.

Provider Training and Orientation

- No preservice training or orientation is required.
- 6 hours per year inservice training required.
- CPR/first aid is not a separate training requirement.

Discipline Policy

-Corporal punishment, including spanking is prohibited.

Emergency Medical Consent Policy

-Form required in licensed homes, but does not have to be notarized.

Environmental Policy

- Testing for the presence of lead, asbestos or radon is not a requirement for licensure; however, testing is required if environmentalist identifies hazardous/potentially hazardous conditions.
- No financial assistance is available for the inspection for or remediation of lead, asbestos or radon through licensing agency.
- The child care facility shall comply with all regulations promulgated by the Division of Sanitation of the MS Department of Health for food service, on-site wastewater systems; and vector (pest) control; otherwise, state regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children

- Children must be immunized in licensed homes.
- Blood lead level screening is not required prior to entrance into licensed family child care homes.

National Life Safety Code Policy

-Self-evaluation by operator incorporates Life Safety Code requirements.

Nutrition Policy
-No information available.

Smoking Policy
-Smoking not allowed on site when children are present.

Before and After School Programs
-No special regulations.
-No policy regarding overlap time.

Infant Care Programs
-Special regulations about space requirements, diapering and toileting, sleeping, feeding, safety and sanitary procedures, toys and equipment, program activities, and transportation.

Programs for Children with Disabilities
-No separate special regulations.
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs
-Any child with a serious contagious disease must be reported immediately to the local health department officer.
-Provider may exclude, isolate, or group together sick child(ren) based on level of sickness and contagiousness, must call parent and request them to pick up their sick child(ren).

Zoning Regulations
-Must comply with local zoning ordinances.

Available Resources
-Funding available through the Department of Human Services.

Local Contact
-Health Dept. for Licensure, Welfare for Slot Purchase Funding, Education (State Office) for USDA Assistance; Department of Human Services Block Grant.

Pending/New Legislation
-None.

MISSOURI (MO)

Information
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Department of Health
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Jefferson City, MO 65102
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Number of Regulated Homes

-2,651 large family child care homes.
-Licensor-provider ratio: 1:70-90 (ratio includes both homes and centers)

Definitions and Regulatory Requirements

-Licensing required for care of 5-10 children; renewed every two years; providers caring for 4 or fewer unrelated children at any one time are legally exempt from regulation.
-Provisional licenses are not issued under any circumstances.
-Social security number of provider is required.
-Parents required to sign statement indicating that they have seen a copy of the licensing rules.
-The term "regular" or "regularly" in relation to family child care not defined.
-"Relative Care" means children related in any of the following relationships by blood, marriage or adoption between the provider and the children in care: parent, grandparent, great-grandparent, brother, sister, stepparent, stepbrother, stepsister, uncle, aunt, niece, nephew or first cousin.
-Provider may care for maximum of 10 children; providers may obtain a flexible license; ages of children determine necessity of assistant.
-Staff/infant ratio is 1:4.
-Licensing capacities: 1 adult provider in the home may be licensed for up to 6 children including a maximum of 3 children under the age of 2 years, or up to 10 children including a maximum of 2 children under age 2 years, or both. If only 4 children are present, all may be under the age of 2 years. If provider has an assistant present, the home may be licensed for up to 10 children including a maximum of 4 children under age 2 years and for up to 8 children who may all be under age 2 years. A family child care home may be licensed at a maximum capacity for a period of 18 consecutive hours of a 24-hour day and for the remaining 6 hours of the 24-hour day care may be provided for 1/3 the licensed capacity.
-Liability insurance is not required.
-Providers may reside in the home or maintain a facility separate from the residence.
-Substitute caregiver required before license is given.
-Space requirements: 35 sq. ft. indoors; 75 sq. ft. outdoors.

Unannounced Inspection Procedure

-Inspections required before licensure; 3 supervisory visits and a renewal inspection required during licensure period; homes inspected semi-annually.

Tracking of License Denials or Revocations

-Both revocations and denials are tracked.

Complaint Procedure

-To file a complaint, telephone or write to the child care licensing representative.
-When a complaint is filed, an unannounced visit is made to the home; the conequences depend on the severity; a facility review conference, revocation, or other legal action.

Provider Qualifications

-Provider must be at least 18 years old.
-Physical exams and TB screening necessary for provider, assistants working more than 5 hours per week, and any family member that resides in the home during child care hours.
-No other adult immunizations required.
-Three written references required.
-No criminal record checks required, although conducted in some cases.
-Provider, other household members, and other child care personnel shall be screened for child abuse/neglect.

Provider Training and Orientation

-Preservice training is not required.
-12 clock hours on-going per year is required on topics such as health, safety, nutrition, guidance and discipline, appropriate activities and learning experiences for children, positive communication and interaction with parents, planning and setting up an appropriate environment for children, professional and administrative practices or other child related areas. All training must be documented with dates, the number of hours completed, the subject and the name of the individual(s) who conducted the training.
-Any assistant working more than 5 hours per week shall meet the same training requirements.
-All training must be documented and kept in file at family child care home.
-CPR and first aid is not required, but may be counted in the 12 hours.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Form is required, but it does not need to be notarized.

Environmental Policy

-Testing for the presence of lead, asbestos and/or radon is not required for licensure; a limited amount of funds may be available through the quality portion of the Child Care and Development Block Grant to provide assistance for the inspection for or remediation of lead, asbestos or radon.
-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children

-State law requires immunizations for children prior to enrollment in child care facilities caring for more than 9 children; monitoring is done by the Department of Health.

-Blood lead level screening is not required for entrance into FCCH.

National Life Safety Fire Code

-Not adopted.

Nutrition Policy

-MO Department of Health is state sponsoring agency for USDA CACFP.

-Must comply with USDA guidelines.

Smoking Policy

-State law prohibits smoking in all child care facilities.

Before and After School Programs

-On a full vacation day the child may bring a sack lunch if in a program for school age only.

-Overlap of 1/3 of licensed capacity may be allowed when request has been submitted, not to exceed 2 hours total in any 24-hour child care day and only when children are over 2 years of age. Overlap of children under 2 years of age is not permitted.

-On days when schools are closed due to emergencies such as inclement weather, or physical plant failure, the family child care home may accommodate enrolled school age children who need care; provider shall be permitted to exceed for the day the licensed capacity by 1/3 and cannot be in excess of of 1/3 allowed in overlap care. At no time may the licensed capacity of the home be more than 1/3 over licensed capacity.

Infant Care Programs

-Specific and special regulations for infants and toddlers are included in the regulations related to supervision, diapering, toilet training, behavior management, daily activities and food/nutrition.

Programs for Children with Disabilities

-Individual health care plan on file. .

Sick Child Care Programs

-Specific regulations related to the ill child are included in the overall regulations.

Zoning Regulations

-Providers are responsible to comply with local ordinances.

Available Resources

-Family child care associations, resource and referral agencies, and the Child Care and Development Block Grant Fund.

Local Contact

-Local Department of Health Office.

102

Pending/New Legislation

-To allow the Department of Health to take more timely action against licensees who are not in compliance with State Statutes and Licensing Rules.

MONTANA (MT)*

Information
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Day Care Program Officer
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Number of Regulated Homes

-**1,193** family child care homes.
-**533** group family child care homes.
-Licensor-provider ratio: 9.3:2000+ care facilities; optimum level: 1:20-50.

Definitions and Regulatory Requirements

-**Family Child Care Homes:**
 -Registered for 3-6 children including family's children who are under 6 years of age; no registration fee.
 -Providers caring for 1-2 children are exempt from regulation.
 -Registrations renewed annually through reapplication.
 -No information regarding definition of the term "regular"
 -No definition available for "Relative Care."
 -Providers are not required to reside in the home used to provide care.
 -Liability insurance required by law.
 -Social security number of provider is required.
 -Provisional licenses are issued, but cannot extend 6 months in total; only given when provider is attempting to comply with other requirements.
 -Space requirements: 35 sq. ft. inside; 75 sq. ft. outside.
-**Group Family Child Care Homes:**
 -Registration required.
 -Maximum of 12 children with 2 providers.
 -Provider/child ratio - 1:6 for children over age 2.

Unannounced Inspection Procedure

-No inspection required before registration; 20% of homes inspected annually.
-When a complaint is filed, Licensing Rep determines course of action, including an unannounced visit.

Tracking of Registration Denials or Revocations

-Tracking of both denials and revocations by individual offices for 3 years.

Complaint Procedure

-Complaints can be received only by DFS agencies; if complaint is directed to Licensing Rep, investigation takes place.

-Consequences for operating illegally: $500 fine for regulation violations; suspension or revocation depends upon situation and degree of intent.

Provider Qualifications

-Provider must be at least 18 years old.
-All caregivers and members of household must have current immunizations, TB, MMR, & TD.
-Three written or oral references required.
-Criminal record checks required, fingerprinting not required.
-A Child Protective Services Check is conducted.

Provider Training and Orientation

-Providers must attend a basic day care 8 hour orientation within the first 60 days of registration covering health, safety, rules, regulations, payment issues, developmentally appropriate practices, fire safety, nutrition, first aid and CPR reviews.
-CPR and first aid training is currently strongly recommended, and pending to be a requirement for all providers, regardless of environment; rules are being changed to reflect need for proper yearly certificate.
-On-going training is not required; however, proposed rules would required 8 hours annually.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Forms are required, but they do not have to be notarized.

Environmental Policy

-Testing for the presence of lead is required for registration; not asbestos or radon; no lead-based paint can be used.
-No financial assistance is available for the inspection for or remediation of the presence of lead, asbestos or radon.
-No information available about pesticide use near family child care homes in rural areas.

Immunization Policy for Children

-Children are required to be immunized; provider must keep updated records of the immunizations. HIB only for children under 5 years.
-Blood lead level screening is not required for entrance into registered family child care homes.

National Life Safety Fire Code Policy

-Not adopted.

Nutrition Policy

-MT Department of Public Health and Human Services is state sponsor for USDA CACFP.
-Nutritious meals must be served; most providers participate in CACFP.

Smoking Policy

-Smoking is not allowed.

Before and After School Programs
-No separate special regulations.
-Overlap hours cannot exceed 3 hours per day; GCCH - if registered for 9 or fewer children, only 3 additional children can be served in overlap; registered for 10 or fewer only 4 additional children; FCCH - no more than 2 children additional children can be served.

Infant Care Programs
-Supplemental regulations for infant care were recently revised.
-Each infant needs a written statement by a physician or county health nurse concerning any special needs and documents child's presence in child care poses no health risk to other children.
-Special regulations regarding diapering, wet or soiled clothing, feeding, bathing, sleeping, transportation, activities, building, space, and equipment.
-In FCCH, if only infants are cared for, there may be up to 4 babies with no other children in attendance. Staff/child ratio: 1:4; each child is assigned a primary caregiver; staff must be sufficient so that there is always one adult present and supervising. In GCCH, if only infants are cared for, there may be up to 8 babies with 2 caregivers and no other children in attendance.

Programs for Children with Disabilities
-Day care for children with disabilities is at the paid rate of $13.00/day in FCCH and GCCH.
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs
-No separate special regulations; currently working on proposed regulations.

Zoning Regulations
-FCCH and GCCH exempt from conditional use permit requirements; both are legitimate uses of residential property; zoning depends upon the community. Some zoning laws differ community to community.

Available Resources
-CACFP, Montana Child Care Associations, services through R&R's; upon registration are eligible for CCDBG funding.

Local Contact
-Department of PHHS Regional Office.

Pending/New Legislation
-Requested through an Executive Planning Process (EPP):
 -authority to regulate drop-in and preschool facilities
 -5 additional FTE for day care licensing
 -ability to inspect either more than 20% of registered facilities or ability to conduct pre-registration visits.
-All these requests can abe rejected by the Governor in which case separate legislation would have to be developed and carried by other than department staff.

* Information from *1996 Family Child Care Licensing Study*

NEBRASKA (NE)

Information
Supplied By: Pat Urzedowski, Administrator
Resource Development and Support Division
Department of Health and Human Services
P.O. Box 95044
Lincoln, NE 68509
PHONE: (402) 471-9431
FAX: (402) 471-9455

Number of Regulated Homes

- **3,481** family child care homes [Family Child Care I].
- **363** group child care homes [Family Child Care II].
- Ratio of licensing specialists to homes is approximately 1:150, in addition to other types of programs. These additional programs add approximately 48 licensed child care programs to the caseload.

Definitions and Regulatory Requirements

-Family Child Care Home I:

- Self-certification required when caring for 4-8 children in addition to providers own under age 8; fee is $25 and must be renewed every 2 years; money goes to general fund for HHS.
- Providers caring for 3 or fewer children are exempt from regulation.
- Provisional licenses: all newly licensed child care providers will be issued a provisional license for a period of one year, to be extended for no more than 6 months under specific circumstances.
- Social security number of provider is required.
- The term "regular" is not defined; "irregular" as care provided randomly with no established pattern of occurrence.
- "Relative Care" is defined as biological, adoptive, foster children and grand-children below age 8; does not make any other references to any other relatives.
- FCCH I may care for up to 8 children including their own children under 8 years old; no more than 2 children may be under 18 months old; additionally there may be 2 school age children during non-school hours.
- Provider/child ratio: infants only - maximum of 4; mixed ages - maximum of 8, no more than 2 infants at one time; school age only maximum of 10.
- Providers in FCCH I must reside in the home used for care.
- Liability insurance is not required.
- Space requirements: 35 sq. ft. indoors per child; 50 sq. ft. outdoors per child.

-Family Child Care Home II (GCCH):

- Provider/child ratio: 9-12 children with 2 providers.
- If infants only - 3 caregivers to 12 infants or 2 caregivers to 8 infants.
- Must be inspected by Fire Marshal, Department of Regulation and Licensure, and Department of Health and Human Services prior to license issuance.

Unannounced Inspection Procedure

-Child Care Resource Specialist is required to make unannounced visit within 60

days of issuance or renewal of license for FCCH I.
-Complaint allegations are investigated by an unannounced visit and unannounced follow-up visits if necessary.
-A probationary status is one alternative to serious non-compliance when there is not a danger to the safety of children or staff. Probationary status can only be in effect for 6 months and requires that a corrective action plan be developed by the provider and monitored by Department staff.

Tracking of License Denials or Revocations
-Both denials and revocations have been tracked since 1978.

Complaint Procedure
-To file a complaint, call or write the Department of Health and Human Services, Resource Development and Support Division.
-Consequences are dependent upon the nature of the violations; may range from issuance of noncompliance report to emergency closing order which immediately revokes the license.

Provider Qualifications
-Provider must be at least 19 years old.
-Physical exam required and shall include: blood pressure, urinalysis, self-disclosure statement on substance abuse and treatment for mental health problems.
-There are no Regulation and Licensure or Health and Human Services policies regarding immunization of adult members in the house, including the child care provider.
-No references required.
-Some cities have permit requirements which includes criminal records check.

Provider Training and Orientation
-Providers must have 1 hour of pre-service orientation, plus CPR and first aid.
-12 clock hours of on-going training per year is required which may include safe environment, healthy environment, learning environment, physical development, cognitive learning, communication, creative learning, self-esteem, social development, guidance, family relationships, program management, and/or professionalism.

Discipline Policy
-Corporal punishment prohibited in both FCCH I & II.

Emergency Medical Consent Policy
-Forms are required, but they do not have to be notarized.

Environmental Policy
-Testing for the presence of lead is required with approval/disapproval by Regulation and Licensure or Health and Human Services; no testing required for asbestos or radon.
-Financial assistance is available for the inspection for or remediation of the presence of lead, but not for asbestos or radon.
-State regulation do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children
-Immunization regulated by Department of Health and Human Services.
-Blood lead level screening is not required for entrance into family child care homes.
-Providers are required to maintain copies of children's immunization records have them available upon request.
-Providers are required to retain copies of immunization records of all children and send aggregate data to the Department of Health and Human Services on a yearly basis.

National Life Safety Fire Code Policy
-Followed by both FCCH I & II.

Nutrition Policy
-NE Department of Education is state sponsor for USDA CACFP.
-Nutritional guidelines comply with USDA CACFP.

Smoking Policy
-Smoking is prohibited in all areas of the home designated for child care during the hours of operation.
-The child care provider shall inform parents of all enrolled children, if any household member, including the provider, smokes in the home; information will be provided to parents before accepting a child into care.

Before and After School Programs
-No separate special regulations.

Infant Care Programs
-Section of regulations pertain to those providing infant care.

Programs for Children with Disabilities
-No separate special regulations.
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs
-No special regulations.

Zoning Regulations
-Quality Child Care Act prohibits cities and communities from imposing zoning ordinances that prohibit family day care.
-No specific regulations pertaining to zoning.

Available Resources
-Information on local organizations, consultations and technical assistance on quality care, and training and information on available grants.

Local Contact
-There are 25 Child Care Resource Specialists in 10 locations throughout the State.
-There are 3 Registration Clerks throughout the Department of Health and Human Services offices.

Pending/New Legislation

-LB310 passed in 1997 will allow the Department of Health and Human Services to: issue non-expiring licenses; require annual unannounced inspections to all licensed programs; and change penalty for providing illegal care to a Class IV misdemeanor.

NEVADA (NV)

Information
Supplied By: Patricia J. Simonsen, Chief
Bureau of Services for Child Care
3920 E. Idaho Street
Elko, NV 89801
PHONE: (702) 753-1237
FAX: (702) 753-2111

Number of Regulated Homes

- **606** family child care homes (includes individual cities).
- **30** group family child care homes (includes individual cities).
- Licensor-provider ratio: no information available; licensors have a mixed caseload of family child care, group homes, and centers, designated by licensing entity.

Definitions and Regulatory Requirements

- Licensing by the State is required when caring for 5 or more children for compensation; providers caring for 4 or fewer children are legally exempt from regulation unless all children in care are under 2 years of age.
- Carson City, Las Vegas, Clark County, and Washoe County regulate family and group family child care in their respective areas. Refer to end of the section on NV for complete address and phone number of each.
- Licensing fees: 6 or less children - $20; 7-12 children - $60; renewed annually.
- Provisional license may be issued to allow time for a facility to come into compliance.
- Social security number of provider is required to conduct FBI checks.
- The terms "regular" or "regularly" mean a home in which a person provides care for the children of a friend or neighbor for not more than 4 weeks if the person who provides to the does not regularly engage in that activity.
- "Relative Care" is defined as a home in which the only children received, cared for and maintained are related within the 3rd degree of consanguinity or affinity by blood, adoption or marriage to the person operating the facility.
- FCC providers may care for maximum of 6 children, not including family members; maximum of 4 children under 2 years of age, with no more than 2 children under 1 year of age.
- Providers are required to reside in the home used to provide care.
- Liability insurance required.
- Substitute caregiver required, providers must give the name and phone number of the substitute to the licensing agency with proof of FBI check.
- Space requirements: 35 sq. ft. per child inside usable space; 37 1/2 sq. ft. per child outside.
- **Group Family Child Care Homes:**
- 7-12 children, who must be cared for by a minimum of 2 providers.
- Provider/child ratio of 1:6 maintained; no more than 8 children under 3 years old with no more than 4 children under 1 year.

-An additional caretaker must be on duty whenever one or more of the following conditions exist:
a) More than 6 children are in the facility;
b) More than 4 of the children are less than 2 years of age;
c) More than 2 of the children are less than 1 year of age.

-Carson City
-Registration; fee is $2.00 per child.
-Providers not required to live in the family child care home.
-Inspections are quarterly, may be announced or unannounced.
-Other regulations/requirements are the same as the State.
-6 FCCH and 4 GCCH presently.

-Clark County
-License required to care for even 1 child on a regular basis.
-Six hours of continuing education required.
-138 FCCH and 8 GCCH presently.

-City of Las Vegas
-License required; fee is $20 for FCCH and $80 for GCCH.
-Other regulations/requirements are the same as the State.
-181 FCCH and 8 GCCH presently.

Unannounced Inspection Procedure

-Initial inspections prior to licensure; subsequent inspections throughout year with minimum of 2 visits annually.
-Inspections are random with no advance notice.

Tracking of License Denials or Revocations

-Both denials and revocations are tracked on a yearly basis, on-going.

Complaint Procedure

-To file a complaint, register with licensing entity.
-When a complaint is filed, follow-up procedure is dependent upon nature of complaint.
-Consequences are dependent upon regulation section(s) out of compliance.

Provider Qualifications

-Owner must be 18 years old. The facility may not be operated without a caregiver a minimum of 18 years old on the premises.
-Caregivers must be at least 16 years old and have had a Child Development course if under 18 years of age. No more than 50% may be under 18 years.
-Physical exams not required; TB test is required, renewable every 2 years.
-No other adult immunizations required.
-References not required.
-FBI background checks conducted on all licensees and adult family members living in home, renewable every 6 years.

Provider Training and Orientation

-Initial 3 hours of training relating to child development ages and stages and health and safety.
-3 hours of continuing education annually follows on same topics.
-CPR and first aid is a separate training requirement.

Discipline Policy
-Corporal punishment prohibited.

Emergency Medical Consent Policy
-Form is required, but it does not have to be notarized.

Environmental Policy
-Testing for the presence of lead, asbestos or radon is not required for licensing; no financial assistance is available for inspection for or remediation of the presence of lead, asbestos or radon.
-The issue of pesticide use is addressed by the State Bureau of Health Protection.

Immunization Policy for Children
-Provider must obtain and maintain on premises a current immunization record for each child prior to their admittance.
-Provider is responsible for seeing that the parent keeps child's immunization record current.
-Blood lead level screening is not required for entrance into child care homes.

National Life Safety Fire Code Policy
-Adopted by the State Fire Marshal's Office.

Nutrition Policy
-NV Department of Education is state sponsor for USDA CACFP,
-Meals and snacks must be of a quality and quantity which supplements the food served at home. Cultural and ethnic foods which are appropriate for children must be considered in planning meals. Further specific guidelines are required.

Smoking Policy
-Smoking is allowed in family child care in a designated area, but is prohibited in group homes unless an assigned smoking area is approved by State Fire Marshal.
-Parents must be notified in writing that smoking is permitted in both settings.

Before and After School Programs
-No separate special regulations.
-No overlap time policy.

Infant Care Programs
-Special regulations adopted.

Programs for Children with Disabilities
-Special regulations adopted.
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs
-Special regulations adopted.

Zoning Regulations
-Child care homes must comply with applicable local ordinances.

Available Resources

-Training and resources provided by the Bureau. Training that is provided by other sources must be approved by the appropriate licensing entity.

Local Contact

-Except for localities listed below, contact the Bureau of Services for Child Care (702-687-4232) to get the county or city contact near your area. Direct inquiries concerning these facilities in local areas to:

Carson City
Carson City Health Department
Environmental Health Services
1711 North Roop Street
Carson City, NV 89701
(702) 887-2190

City of Las Vegas (in city limits)
Department of Finance and Business
Child Care Licensing
400 E. Stewart Avenue
Las Vegas, NV 89101
(702) 229-6281

Clark County (Unincorporated areas)
Child Welfare Licensing
Clark County Social Services
1600 Pinto Lane
Las Vegas, NV 89106
(702) 455-3894

Washoe County
Washoe County Social Services
Wells Ave. at 9th St.
P.O. Box 11130
Reno, NV 89520-0027
(702) 328-2300

Pending/New Legislation

-None.

NEW HAMPSHIRE (NH)*

Information
Supplied By: Sharon Denoncourt
Bureau of Child Care Licensing
Health and Human Services Building
6 Hazen Drive
Concord, NH 03301-6527
PHONE: (603) 271-4624
FAX: (603) 271-3745

Number of Regulated Homes

-**329** family child care homes.
-**124** group family child care homes.
-Licensor-provider ratio: 1:160 (approximately); optimum supervision ratio: 1:50-75

Definitions and Regulatory Requirements

-Family Child Care Homes:

-Licensing required; renewed every 3 years.
-A 6 month permit is issued to new facilities to allow the department to monitor compliance with regulations when providers are actually caring for children.
-A provider may care for any 1 of the following groups of children (includes the provider's own biological or adopted children, foster and resident children up to 10 years of age):
1) 6 preschool children and 3 school age children provided that no more than 3 children shall be under 36 months of age of which no more than 2 shall be under 19 months of age.
2) 5 preschool children and 3 school age children provided that no more than 4 children shall be under 36 months of age of which no more than 2 children shall be under 24 months of age.
3) 4 children under 36 months of age.
4) 6 preschool children and 3 school age children provided that no more than 4 children shall be under 36 months (requires an assistant/aide).
-Social security number of providers is not required.
-No information on definition of the term "regular."
-No information about definition of "Relative Care."
-Substitute caregiver required, or plan for caregiver absence.
-Provider must reside in the home used for care; regulations also require that the FCCP be the person in whose home the care is provided.
-National Fire Prevention Code must be met, regulated by NH Dept. of Safety, Fire Marshall's Office.
-Space requirements: Inside - 35 sq. ft. per child; outside - 50 sq. ft. per child; however, homes with less than 50 sq. ft. per child outside are acceptable as long as the outside area is at least 1/3 of the maximum capacity and as long as the area of outside sq. ft. per child never falls below, at any time, 50 sq. ft. for every child outside.

-Group Family Child Care Homes:
- -2 caregivers with 7-12 preschool children and up to an additional 5 school age children; may have up to 4 children under 3 years of age.
- -Same provider/infant ratios.

Unannounced Inspection Procedure

-All FCCH and GCCH inspected by health and fire departments; inspection by licensing bureau occurs prior to license being granted and 3 times during 3-year license period; at least one inspection/license period is unannounced.

Tracking of License Denials or Revocations

-Both denials and revocations are tracked indefinitely.

Complaint Procedure

-To file a complaint, write or phone the Bureau of Child Care Licensing and give specifics of the complaint; must be based on first-hand information and should be timely.

-When a complaint is filed, an unannounced investigation begins.

-Consequences depend upon severity of violation; routine violations would be issued, summary of findings, and required to submit corrective action plan; more serious violations, i.e. abuse/neglect, or repeat serious health and safety violations might result in action against a license.

Provider Qualifications

-Provider must be at least 18 years old (individual 18-21 years of age must have preservice training).

-Physical exams required every 3 years.

-Immunizations are not required for providers or adult household members.

-No information concerning number of references required.

-In-state criminal and child abuse record checks required for provider, staff and for any resident in home over 18 years old.

Provider Training and Orientation

-First Aid and Child CPR certification is required.

-Providers between 18 and 21 years of age must have a child care vocational course approved by the State Dept. of Education.

-No on-going training requirement except renewal of first aid/CPR.

Discipline Policy

-Corporal punishment prohibited as is punishment which is humiliating, shaming, frightening or otherwise damaging to children. Children's behavior supported with positive guidance.

Emergency Medical Consent Policy

-Form is required, but it does not have to be notarized.

Environmental Policy

-Testing for the presence of lead, asbestos and/or radon is required only when there is cause to believe there may be a problem. In most cases a notice would be required that the home is free of lead, asbestos or radon exposure hazards.

-No financial assistance is available for the inspection for or remediation of the presence of lead, asbestos or radon.
-No information about pesticide use near family child care homes in rural areas.

Immunization Policy for Children
-Children must be immunized; records must be on file in the home the first day the child attends. The provider is not in compliance with regulations if a child falls behind in immunization status; religious and medical exemptions are allowed.
-Blood lead level screening is not required for entrance into family child care homes.

National Life Safety Fire Code Policy
-The State Fire Marshall has adopted the National Code.

Nutrition Policy
-NH Department of Education is state sponsor for USDA CACFP.
-Providers must assure children are served meals and snacks equal to USDA CACFP guidelines; if parents supply food, providers must supplement inadequate meals and snacks.

Smoking Policy
-Smoking is prohibited in FCCH and GCCH during hours of operation.

Before and After School Programs
-No separate special regulations.
-No overlap time allowed; must be licensed to provide care to school age children; must abide by maximum capacity on license.

Infant Care Programs
-FCCH and GCCH may care for up to 4 children under 3 years of age; if FCCH or GCCH wishes to care for 5 or more children under 3 years of age, he/she must qualify and be licensed as a Day Care Nursery Program.

Programs for Children with Disabilities
-Provider must consult for the child's parent(s), physician or other professional source providing services to the child, on an ongoing basis, as designated by the parent in order to obtain written instructions regarding the child's disability and methods of meeting the child's special needs.
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs
-No programs available.

Zoning Regulations
-FCCH and GCCH must submit documentation verifying compliance with local ordinances, some of which have changed in regards to inspections and zoning fees.

Available Resources
-Food programs, family day care associations, training organizations, resource and referral organizations.

Local Contact
-New Hampshire Division of Public Health Service, Bureau of Child Care Licensing, or call 800-852-3345 ext. 4624, or 603-271-4624.

Pending/New Legislation
-None.

* Information from *1996 Family Child Care Licensing Study*

NEW JERSEY (NJ)

Information
Supplied By: Richard Crane, Chief
Bureau of Licensing
Division of Youth and Family Services
P.O. Box 717
Trenton, NJ 08625-0717
PHONE: (609) 292-1018
FAX: (609) 292-6976

Number of Regulated Homes

-**4,100** family child care homes.
-Licensor-provider ratio: no exact number available, each sponsoring organization determines the number of staff members needed to carry out the voluntary registration program based on available funds and the number of registered homes in its area.

Definitions and Regulatory Requirements

-Voluntary registration: providers choosing to participate in this program must obtain a Certificate of Registration; renewable every 3 years ($25 fee, which is used by sponsoring organizations to support voluntary registration program). Providers caring for 5 or fewer children do not have to participate in the voluntary registration program have no regulations or requirements to meet, but do not accrue the benefits of registration, including referrals of consumers through the State Resource and Referral System.
-NJ has a two-tiered system of voluntary regulation:
 -Division of Youth and Family Services (DYFS) inspects and approves FCC Sponsoring Organizations; these organizations then inspect, monitor and register providers; each sponsoring organization has a designated geographical area that it is responsible for (one or more counties).
 -Family Day Care Networks that can be private for profit or non-profit who screen, train and approve family child care homes, but do not have the State contract to issue a registration certificate.
-Providers in substantial compliance with registration regulations may receive a temporary registration for no longer than one year.
-Social security number of provider not required for registration.
-The term "regular" or "regularly" is not applicable.
-"Relative Care" is not defined.
-Provider/child ratio is 1:5; for voluntarily registered providers 3 additional children are allowed if they reside in the home or are the assistant's or substitute's children; voluntarily registered providers/infant ratio is 1:3.
-Providers are required to reside in the home in which care is provided.
-Liability insurance is not required, but most networks make it available to providers in their network either by paying the premium for the provider or by collecting the premium from the provider and sending to the insurance agency.
-No Group Family Child Care Home Category.
 -Programs serving 6 or more children under age 13 are licensed as centers.

Unannounced Inspection Procedure
-Inspections are done prior to certification and then once every 2 years, plus 20% random sample inspected annually.
-When a complaint has been filed, the sponsoring organization's investigation may include a home visit as necessary and this visit is unannounced.

Tracking of Registration Denials or Revocations
-Denials and revocations have been tracked since 1987.

Complaint Procedure
-Complaints may be made by telephone, in writing or in person to the sponsoring organization. Complaints may be made anonymously. Institutional Abuse Investigation Unit in the DYFS receives and investigates complaints alleging child abuse or neglect in registered homes.
-Consequences: The provider is given an opportunity to abate the violations; repeated and/or unabated violations may result in suspension, revocation or refusal to renew the registration.

Provider Qualifications
-Providers must be 18 years old.
-Providers and assistants must submit a medical statement including Mantoux test or chest x-ray.
-Adult immunizations are left up to opinion of physician. No health information is required from other adults who do not care for the children.
-Two written references required.
-Self-disclosure of criminal convictions of the provider, provider substitute, assistant, and all members of the provider household over 14 years of age.
-Screening required for any substantiated allegation of child abuse or neglect.

Provider Training and Orientation
-6 hours of preservice training required; topics include child development, discipline, safety, first aid, health, nutrition, program activities, and parent-provider communication.
-2 hours of on-going training required annually.
-CPR and first aid is not required.

Discipline Policy
-Corporal punishment prohibited.

Emergency Medical Consent Policy
-Form is required, but it does not have to be notarized.

Environmental Policy
-Testing for the presence of lead, asbestos or radon is not required for registration; no financial assistance is available for inspection for or remediation of the presence of lead, asbestos or radon.
-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children
-Registered providers are required to have children's immunization records on file. Parents are responsible for keeping the records current.
-Blood lead level screening is not required for entrance into FCCH.

National Life Safety Fire Code Policy
-Not adopted; safety and fire prevention provisions are included in registration regulations; all homes must meet applicable provisions of the NJ UFC.

Nutrition Policy
-NJ Department of Education is state sponsor for USDA CACFP.
-Nutritious meals and snacks are required at appropriate times; specific menu components are not specified in the family child care registration regulations.

Smoking Policy
-Smoking is prohibited within sight of children; provider must inform parents about smoking by anyone in the home.

Before and After School Programs
-No separate special regulations.
-No policy on time overlap for integration of before and after school children into family child care home caring for young children at other times.

Infant Care Programs
-No separate special regulations.

Programs for Children with Disabilities
-No separate special regulations; providers must comply with the ADA.

Sick Child Care Programs
-No separate special regulations.

Zoning Regulations
-Zoning law deems FCCH are a permitted use in residential zones, condominiums, cooperatives and horizontal property regimes.

Available Resources
-Sponsoring organizations offer a variety of resources based on local availability; these may include CACFP, provider associations, insurance plans, private networks, training workshops, lending library, equipment loan.

Local Contact
-Family Child Care Sponsoring Organizations:

-Atlantic County Women's Center	(609) 646-1177
-Bergen County Office for Children	(201) 646-3694
-Burlington County Community Action Program	(609) 261-2323
-Camden County Division of Children's Services	(609) 374-6376
-Educational Information & Resource Center (Cape May)	(609) 582-8282
-Tri-County Child Care Services (Cumberland)	(609) 451-8100

-Programs for Parents (Essex)	(973) 297-1114
-Educational Information & Resource Center (Gloucester)	(609) 582-8282
-Urban League of Hudson County	(201) 946-7277
-NORWESCAP Child Care Resource Services (Hunterdon)	(908) 782-8183
-Child Care Connection, Inc. (Mercer)	(609) 737-3945
-Catholic Charities (Middlesex)	(732) 826-9160
-Child Care Services of Monmouth County	(732) 294-1894
-Children's Services of Morris County	(973) 927-6060
-CHS Child Care (Ocean)	(732) 905-6363
-NJ 4-C's (Passaic)	(973) 684-1904
-Tri-County Child Care Services (Salem)	(609) 935-7739
-Catholic Charities (Somerset)	(908) 725-1912
-NORWESCAP Child Care Resource Services (Sussex)	(973) 383-3461
-Union County 4-C's	(973) 923-1433
-NORWESCAP Child Care Resource Services (Warren)	(908) 453-2129

Pending/New Legislation

-None.

NEW MEXICO (NM)

Information
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Child Care Licensing Bureau
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Santa Fe, NM 87502-6110
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FAX: (505) 827-4025

Number of Regulated Homes

-233 group family child care homes.
-Licensor-provider ratio: 1:84; no information available for optimum level.

Provider Regulations

-Licensing required for providers caring for 5 or more children; $15 annual licensing fee with renewal.
-Providers caring for 4 or fewer children are legally exempt from regulation.
-Temporary licenses are offered for up to 120 days when not all requirements are met, but no health or safety violations.
-Social security number of provider is not required.
-The term "regular" or "regularly" not defined.
-"Relative Care" is not defined.
-Providers caring for 5 or 6 children can provide care for no more than 2 under the age of 2, including provider's children under age 6.
-Provider/child ratios: infants, toddlers, preschoolers, and school age - 1:6 and 2:7-12, with a maximum of 4 children under age 2.
-The intent of the regulation is that providers should reside in the home in which care is being provided; however, requirement is not specified.
-Liability insurance not required.
-Space requirements: Inside- 35 sq. ft. of activity area per child; outside- 60 sq. ft. per child for 20% of the licensed capacity.

Unannounced Inspection Procedure

-Inspections occur before licensure and annually thereafter.
-When a complaint has been filed, an unannounced visit takes place, with social services if abuse/neglect.

Tracking of License Denials or Revocations

-Denials are not tracked, but revocations have been tracked for 10 years.

Complaint Procedure

-To file a complaint, call or write the licensing agency; anonymous complaints are accepted.
-Consequences: depending on seriousness, can range from license suspension or revocation to plan of correction or monetary sanctions.

Provider Qualifications

-Day care provider must be 18 years old.
-Initial TB test required.
-No adult immunizations required.
-No information about number of references required.
-Criminal record checks and fingerprinting required for provider, other staff, volunteers working on a regular basis, and household members over 18 years old; cost is $24 per person (paid to FBI).
-Volunteers working in a home on a regular basis, assistant caregivers over the age of 18 years and staff members are subject to the regulations and will be counted in child/staff ratio.

Provider Training and Orientation

-Preservice training is not required.
-On-going training:
 -A family child care home will keep a training log file including the date of the training, name of the caregiver, hours earned, subject/competency area, source of training and training certificates.
 -Caregivers working for a home will receive at least 12 documented hours of training during each year, including 6 hours in child growth and development, and 3 hours in health, safety, nutrition, and infection control. A caregiver will choose the subject of the 3 remaining hours. A caregiver cannot count more than 3 hours in first aid and CPR training toward the total hours required. Training must be delivered by people who have education and/or experience in the competency area (or areas) in which they train. Employees or relatives of employees who provide training must be prior approved by the Department.
-CPR and First Aid is a separate training requirement; at least one person on duty in the home must be certified in first aid and CPR.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Forms are required, but they do not have to be notarized.

Environmental Policy

-Testing for the presence of lead, asbestos and/or radon is not required for licensing; no financial assistance is available for inspection for or remediation of the presence of lead, asbestos or radon.
-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children

-Children must be immunized; provider must not accept or disenroll a child whose records are not current.
-Blood lead level screening is not required for entrance into a family child care home.

National Life Safety Fire Code Policy

-Included as adopted by the state Fire Marshal's Office.

-A home will conduct at least 1 fire drill each month, will hold the drills at different times of the day and will keep a record of the fire drills with the date, time, number of adults and children participating, and any problems.

Nutrition Policy

-NM Family Nutrition Bureau is state sponsor for USDA CACFP.
-Providers must adhere to CACFP guidelines.

Smoking Policy

-A home will prohibit smoking and the drinking of alcoholic beverages in all areas, including vehicles, when children are present.

Before and After School Programs

-Special regulations for activities for school age children are included in addition to the general regulations.
-No provision for overlap time integrating before and after school children in the home; child/staff ratios must be maintained at all times.

Infant Care Programs

-Special regulations for facilities caring for infants are included in addition to the general regulations.

Programs for Children with Disabilities

-Special regulations for services and care of children are included in addition to the general regulations.
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs

-Regulations applicable to sick child care are included with general standards.

Zoning Regulations

-All facilities must comply with local ordinances.

Available Resources

-CACFP and information on available funding.

Local Contact

-First contact should be with the state agency.

Pending/New Legislation

-New regulation as of 3/31/97: A home will unload all guns, such as pellet or BB guns, rifles and handguns, and keep them in a locked area inaccessible to children.

NEW YORK (NY)

Information
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Number of Regulated Homes

- **14,578** family child care homes.
- **2,304** group family child care homes.
- No information provided about ratio of licensors to homes.

Definitions and Regulatory Requirements

- **Family Child Care Homes:**
  - Registration required when caring for 3-6 children; no fee; registration is for one year the first time and every two years thereafter.
  - Providers caring for 1 or 2 children are legally exempt from regulation.
  - Staff/child ratios: No more than 2 children under the age of 2; no more than 5 children if at least 1 child is under age 2. Two additional school age children may be cared for following an on-site visit to determine provider's capability to serve additional children.
- Social security number is required.
- The term "regular" or "regularly" means child day care provided on a routine, scheduled basis for specific days of the week, hours of the day or periods of the year for the same child(ren). It does not include drop-in or sporadic care for children.
- "Relative Care" means care provided by the parent, stepparent, guardian or relative within the 3rd degree of consanguinity of the parents or stepparents of the child.
- Both FCCH and GCCH must be located in an occupied family residence, but the occupant does not necessarily have to be the provider.
  - Liability insurance not required for either FCCH or GCCH.
- Parents must have unlimited access to their children while in FCCH or GCCH.
- Space Requirements: None.
- **Group Family Child Care Homes:**
  - Licensed; renewed every two years.
  - Provisional licenses are not issued under any circumstances.
  - Provider and assistant care for up to 10 children with no more than 4 under age 2, or up to 12 children if none is under age 2; two additional school age children may be cared for before/after school hours with department approval.

Unannounced Inspection Procedure

- FCCH inspected on a 20% sample basis annually; GCCH inspected before license renewal.

-If there is a complaint for non-compliance, homes must be visited unannounced within 15 days; if there is a complaint of imminent danger, homes must be visited unannounced within 24 hours.

Tracking of Registration/License Denials or Revocations

-Both denials and revocations are tracked and maintained in computer database for an unspecified period of time.

Complaint Procedure

-To file a complaint, call the statewide 800 child care complaint line or one of 7 regional offices of DSS BECS and provide information on the provider and the nature of the complaint. If the complaint is about suspected child abuse and neglect, individuals can call the 800 child care complaint line and be referred to the State Central Register of Child Abuse and Maltreatment or call the Register's own 800 number.

-The follow-up procedure depends on the nature of the complaint. All complaints are investigated by the regional child care offices or local agencies acting as our agents. On-site visit if imminent danger (within one day) and/or if regulated provider (within 15 days). If complaint is only that provider is unregistered, written notice of obligation to register is sent (within 10 days). Subsequent follow-up depends on provider response.

-Consequences/penalties for violations depend on the nature of the violation; may include issuance of corrective action plan, temporary limitation/suspension, denial, revocation, suspension or limitation of registration/license and fines.

Provider Qualifications

-Provider must be at least 18 years old.

-Health statements and results of TB test required prior to issuing and renewing registration or license for provider and assistants.

-No other immunizations are required of provider or adult members.

-References required; screening through the state Central Register of Child Abuse and Maltreatment required.

-Providers must sign sworn statement indicating whether, to the best of their knowledge, they have ever been convicted of a crime in New York State or any other jurisdiction.

Provider Training and Orientation

-Orientation is required for FCCP.

-Each FCCP must complete 15 hours of training during the first year of registration and an additional 15 hours of training every 2 years thereafter; such training must address the following topics: nutrition and health needs of infants and children, child day care program development, safety and security procedures, business record maintenance and management, child abuse and maltreatment identification and prevention, and statutes and regulations pertaining to child day care and child abuse and maltreatment.

-Each GCCP must participate in training during the first year of licensure and every 2 years thereafter. Each assistant must participate in training during the first year as an assistant in a group family child care home and every 2 years thereafter; such training must address the following topics: principles of early childhood development, safety and security measures, child abuse and maltreatment identification and prevention, and statutes and regulations pertaining to child day care and child abuse and maltreatment.

-CPR and first aid is not a separate training requirement, but is offered through state funded training as optional training choices for providers.

Discipline Policy
-Corporal punishment prohibited.

Emergency Medical Consent Policy
-Signed forms are required, but they do not have to be notarized.

Environmental Policy
-Testing for the presence of lead, asbestos and/or radon is not a requirement of licensing or registration.
-Health and Safety Grant is available to help FCCH and GCCH enhance their programs; these monies could be used for remediation of the presence of lead, asbestos or radon.
-State regulations do not specifically address the issue of pesticide use near family child care homes located in rural areas; however, regulations require that poisonous or toxic materials be used in such a way that they do not contaminate play surfaces, food or food preparation areas, or constitute a hazard to children.

Immunization Policy for Children
-Children, including the provider's own children, must be immunized; providers must maintain current records.
-Blood lead level screening is not required for entrance into a registered or licensed family child care home; however, Public Health Law requires that providers make parents aware of the need for lead screening.

National Life Safety Fire Code Policy
-New York State Uniform Fire Prevention and Building Code is applicable to all family residences in the State.

Nutrition Policy
-NYS Department of Health is the state sponsor for USDA CACFP.
-Regulations require providers to provide plentiful and nutritious meals and snacks which meet the nutritional needs of the children, as per USDA.

Smoking Policy
-Smoking is prohibited in indoor areas and in vehicles while children are present.

Before and After School Programs
-No provision for overlap time.
-Separate regulations for school-age child care programs.

Infant Care Programs
-No separate special regulations.

Programs for Children with Disabilities
-No special regulations; general prohibition against refusal to admit a child with a disability if he/she is eligible for admission, could benefit from

participation, and reasonable modifications can be made to accommodate child.
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs

-Regulations published for public comment in State Register on 5/21/97; guidelines are being developed in conjunction with the New York State Department of Health for a health care plan.

Zoning Regulations

-FCCH must comply with local ordinances as they apply to family residences in the community.
-GCCH must comply with local ordinances as they apply to family residences in the community.

Available Resources

-Registered and licensed providers are eligible to receive: technical assistance from regional office staff and from Child Care Resource and Referral agencies; training, including videoconferencing, at minimal or no cost; scholarship funds (if income-eligible) for credit bearing and non credit bearing college courses, workshops, conferences, and/or nationally-recognized credentialling programs; and health and safety grant opportunities.

Local Contact

-Individuals interested in becoming providers should contact the Bureau of Early Childhood Services regional office in their area; there are 7 regional offices across NYS. In New York City, contact the NYC Dept. of Health.

Pending/New Legislation

-The Department is reviewing current law to assess the need for any changes that may be necessary to facilitate welfare reform.

NORTH CAROLINA (NC)

Information
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Number of Regulated Homes

- **4,549** family child care homes.
- **275** large family child care homes.
- Licensor-Provider ratio: 1:145-165.

Definitions and Regulatory Requirements

- Registration required for any person providing care for 3-5 preschool age children (including infants); registered home may also care for 3 additional school aged children (maximum of 8 children at any one time including provider's own preschool age children; no fees.
- Providers caring for 1-2 children are legally exempt from regulation.
- Registration is renewed every 2 years through reapplication and announced home visits by the child care consultant, or by mail-in renewal process.
- Provisional registration certificates may be issued for no longer than 12 consecutive months; operation must be making a reasonable effort to comply. Provisional could be issued for taking action to correct any violation. Special provisional certificates may be issued in situations involving substantiated child abuse or child neglect.
- The term "regular" or "regularly" refers to any child who receives care for more than 4 hours per day, more than 1 day per week attends/is enrolled in program.
- "Relative Care" means the provider's own children, grandchildren; nieces, nephews and great grandchildren.
- FCCH are required to meet minimum health, safety, and sanitation regulations.
- Social security number of provider is requested on the registration application.
- Providers must reside in the home in which care is provided; required by building codes.
- Liability insurance not required.
- Space requirements: None for FCCH.
- **Large Family Child Care Homes:**
  - Any provider caring for 6-12 preschool age children (including infants) or 6-15 school age only children must be licensed; no fee.
  - Provider/child ratios in LCCH:

All infants	1:5	2-12 years	1:10
0-4 years	1:5	3-12 years	1:12
0-12 years	1:5	School age	1:15

  - Some extra children allowed in the 2 weeks before and after school begins and ends.
  - Space requirement: 25 sq. ft. per child inside, 75 sq. ft. per child outside.

Unannounced Inspection Procedure

-FCCH and LCCH inspected before initial registration or licensure (announced, visits) during announced renewal visits; some unannounced random drop-in visits and whenever a complaint is received.

Tracking of Registration/License Denials or Revocations

-Both have been tracked since 1993.

Complaint Procedure

-The Child Care Consultant responsible for that area/home visits to investigate reports of illegal operation and general noncompliance. The investigation of abuse/neglect allegations is done by the Abuse/Neglect Unit.

-NC law requires operators to be given an opportunity to comply. If the situation is extremely hazardous, however, permit can be suspended or an injunction sought. Other penalties include: written warnings, written reprimands, provisional permit, probational status, civil penalties, revocation, denial.

Provider Qualifications

-FCCH provider must be 18 years old and literate.

-Providers must have biennial TB tests and health statements.

-No adult immunizations required.

-Criminal history checks required; providers can have no criminal records of child abuse nor any behaviors or habits that may be harmful to children (e.g., drug or alcohol abuse).

-LCCH providers must be 21 years old and literate.

-LCCH providers must have annual TB tests and health statements.

Provider Training and Orientation

-FCCH preservice training: CPR and first aid; required annual renewal; no on-going training requirement.

-LCCH: preservice first Aid and Child CPR required; also one year of experience as a caregiver in a child care home or center.

-LCCH: All staff members must participate annually in up to 20 hours of training related to the care of children and specifically 4 clock hours in indoor and outdoor safety. The actual number of hours depends on the total number of previous approved training hours accumulated and educational experience; renewal of CPR and first aid certification may be counted in the requirement.

Discipline Policy

-Corporal punishment, and other negative forms of discipline which are threatening, frightening, or otherwise unduly harsh are prohibited.

Emergency Medical Consent Policy

-Form is required; they must be notarized for FCCH, but not for LCCH.

Environmental Policy

-Testing for the presence of lead, asbestos and/or radon is not a requirement for registration; no financial assistance is available for the inspection for or remediation of the presence of lead, asbestos or radon.

-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children

-Children are required to be immunized by public health laws; providers are responsible for ensuring that children are fully immunized prior to enrollment and are kept current.

-Blood lead level screening is not required for entrance into a registered family child care home.

National Life Safety Fire Code Policy

-Not adopted.

Nutrition Policy

-NC Department of Maternal and Child Health is state sponsor for USDA CACFP.

-State regulations require nutritious meals and snacks (not just a policy).

Smoking Policy

-Smoking is allowed in FCCH without restriction; not allowed in LCCH at all.

Before and After School Programs

-An LCCH provider may care for 2 school age children before and after school not to exceed an overlap period of two hours. However, these children can be cared for all day on school holidays and during the summer; generally overlap is not encouraged.

-LCCH provider who cares for only school age children may care for 15 children.

-State law exempts day care arrangements that operate less than 4 hours per day. If before/after school hours total less than 4, no regulation required.

Infant Care Programs

-No separate special regulations.

Programs for Children with Disabilities

-No separate special regulations.

-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs

-LCCH must comply with provisions of rules related to serving children with infectious or contagious diseases, if they opt to care for those mildly ill children.

-Other requirements for serving sick children are part of getting a waiver from the prohibition against sick children in day care.

Zoning Regulations

-Must comply with local ordinances.

Available Resources

-Information about CACFP and local associations, if they exist, are shared.

Local Contact

-Division of Child Development (919) 662-4499.

Pending/New Legislation

-Proposed legislation approved by the NC Senate and being considered by the NC House affecting family child care:

-Five categories of child care will be reduced to two: family child care homes and child care centers; the term "facility" will refer to both.

-A permanent ("evergreen") rated license will reflect program standards, staff education levels and a rating to show if the provider meets state laws/rules. Evergreen license will eliminate the need for annual license renewal and allow more time for division consultants to concentrate on providing technical assistance to facilities. The rated license will allow parents to make more informed choices about child care arrangements upon the additional information shown on the license. It will also encourage providers to be more responsive to families questions about the care their children receive.

-Family child care homes will require verification of children's immunization and health status.

-Raise the minimum age of a family child care provider from 18 to 21 years of age.

-Effective 1/1/98 require family child care providers to have a high school diploma or its equivalent; providers already licensed on that date would not have to meet this requirement. [Over 80% of providers already meet the requirement.]

-Providers will be required to complete annual on-going training in child development in addition to already required first aid and CPR.

-Family child care homes will provide activities and play materials that are safe and that meet children's needs.

-Require the Child Care Commission to adopt rules specifying requirements for nutritious meals and snacks.

-Effective 3/1/98 requires criminal record checks for all household members over age 15 who are present when children are in care; applies to family child care homes and nonregistered homes approved to receive subsidy.

NORTH DAKOTA (ND)

Information
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Number of Regulated Homes

-**859** licensed family child care homes.
-**1,131** voluntary self-certified/standard compliance family child care homes.
-**897** group family child care homes.
-Licensor-provider ratio: varies.

Definitions and Regulatory Requirements

-**Family Child Care Homes**
  -License required for 6 or more children, or for 4 children under 24 months of age; license fee is $35 for two years; money is used to offset expense of child care licensing worker.
  -Provisional licenses are not available for FCCH.
  -Voluntary self-certification for 1-5 children; self-certification process; providers agree to maintain basic heath and safety standards.
  -Providers caring for 1-5 children are legally exempt from required regulation.
  -Social security number of provider is not required.
  -The term "regular" or "regularly" is not defined.
  -"Relative Care" is same as Federal definition.
  -No more than 7 children allowed in a FCCH plus 2 additional school age children before and after school.
  -Parents must make pre-enrollment visit and have free access to home.
  -Providers are not required to reside in the home used for care.
  -Substitute caregivers required; child abuse and neglect investigation conducted.
  -Space requirements: 35 sq. ft. inside; 75 sq. ft. outside.

-**Group Family Child Care Homes:**
  -Must be licensed with annual renewal; fee is $25.
  -Providers may care for 8 - 18 children.
  -Staff-child ratios: 1:4--under 2   1:10-4 years
  1:5--2 years   1:12-5 years
  1:7--3 years   1:18-6 years and up

Unannounced Inspection Procedure

-County social services office does inspections.
-Homes inspected before licensing.

Tracking of License Denials or Revocations

-Both denials and revocations are tracked.

Complaint Procedure

-To file a complaint, call the county agency.

-When a complaint has been filed, there are several procedures depending on the nature of the complaint; correction order, revocation or injunction, fiscal sanctions.

-Immediate consequence and long term penalty for violations is revocation.

Provider Qualifications

-Self-certified provider must be at least 18 years old; assistant caregivers must be 14 years old.

-Mentally, physically, and emotionally capable of providing care for children.

-No criminal records check but a Child Abuse and Neglect check required for all household members over 12 years of age.

Provider Training and Orientation

-Preservice training is in development; education requirements vary for different levels of care.

-On-going training: GCCH: Supervisor - 6 hours training per year.

- FCCH: Caregiver - 5 hours training per year.

-CPR is a separate requirement for all providers.

Discipline Policy

-Corporal punishment prohibited.

-Time out, diversion, separation from problem, talking with child about problem, praise for appropriate behavior, and gentle physical restraint are encouraged.

Emergency Medical Consent Policy

-Form is required, but it does not have to be notarized.

Environmental Policy

-Testing for the presence of lead, asbestos and/or radon is not a requirement for licensure; testing only occurs if something seems questionable.

-No financial assistance available for the inspection for or remediation of the presence of lead, asbestos or radon.

-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children

-Children must be immunized; provider is responsible to maintain records current.

-Blood lead level screening is not required for entrance into a family child care home.

National Life Safety Fire Code Policy

-Local agencies adopt their own codes; NLSFC enforced in most of the state.

Nutrition Policy

-ND Department of Public Instruction is state sponsor for USDA CACFP.

-All children present at mealtime shall be served a nutritious meal, including food from each of the four basic food groups; adequate amounts of food shall be provided.

Smoking Policy

-Smoking is not permitted in an early childhood facility at any time during which a child who receives early childhood services from that facility is present and receiving services.

Before and After School Programs

-In the process of developing separate regulations.

-The overlap policy is that 2 extra school age children are allowed before and after school over license capacity.

Infant Care Programs

-No separate special regulations.

-Minimum requirements in GCCH.

Programs for Children with Disabilities

-No separate special regulations.

-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs

-Regulated by Health Department. No state regulations. The only sick child care is provided in local hospitals as part of their service to the community.

Zoning Regulations

-FCCH and GCCH must comply with local ordinances.

Available Resources

-CACFP, information about local associations, Early Childhood Training Center, and CCR&R.

Local Contact

-County Social Services.

Pending/New Legislation

-New regulations were written for voluntary self-certified providers effective June 1995; all licensing regulations are in the process of revision and may be in place by September 1997.

OHIO (OH)

Information
Supplied By:

Type A

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Type B

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Number of Regulated Homes

-**4,134** Type B family child care homes.
-**47** Type A group child care homes.
-Licensor-provider ratio: 1:105 (Type A Homes and Centers).

Definitions and Regulatory Requirements

-**Family Child Care Homes (Type B)**
 -Certification is required for homes that receive public funds; valid for 1 year and renewed based on county inspection findings.
 -Type B homes care for 1-6 children including related children under 6 years of age and no more than 3 may be under 2 years of age.
 -FCCH that are not receiving public funds are exempt from regulation by law.
 -Space requirements: 35 sq. ft. indoors; 60 sq. ft. per child using space at a time outdoors.
-**Family Child Care Home Limited Certification (Type B):**
 -This limited certification is issued to adult providers who provide child care for public funded children who are great grandchildren, grandchildren, nieces, nephews or siblings of the provider or the parent's children who are a grandchild, child, niece, or sibling of the provider.
 -Homes are inspected once a year.
 -Certification is valid for two years.
 -No space requirements.
-Social security number of provider is not required.
-Liability insurance is not required.
-Homes must be the personal residence of the provider by definition of the law.

-Group Family Child Care Homes (Type A):

-Licensing required for homes caring for 7-12 children including children related to licensee under the age of 6 and no more than 3 of whom may be under the age of 6 years, or 4-12 children when more than 3 are under 2 years.
-Provisional license in Type A homes is issued for 180 days.
-Initial fee of $50 for license and a $25 renewal fee; licenses must be renewed every 2 years.
-Social security number of provider is not required.
-The term "regular" is not defined.
-"Relative Care" definition: see Type B above.
-Space requirements: 35 sq. ft. indoors; 60 sq. ft. per child using space at a time outdoors.
-Liability insurance is not required.
-Homes must be the personal residence of the provider by definition of the law.

Unannounced Inspection Procedure

-All homes inspected twice a year, at least one unannounced.
-When complaint has been filed, visits may be unannounced or announced; the investigation must begin within five working days of receipt of a complaint; if complaint alleges an immediate risk to children, the investigation shall begin within 24 hours of receipt of the complaint.

Tracking of Certificate/License Denials or Revocations

-Both denials and revocations are tracked for Type A homes; records go back five years for Type A homes.
-In Type B homes, OH is currently not tracking denials and revocations.

Complaint Procedure

-Complaints involving Type B homes are to be made to county departments of human services.
-If complaint alleges child abuse/neglect, county director shall immediately report it to public children services agency.
-Consequences: could ultimately lead to revocation of license or certificate, or criminal prosecution of individual perpetrators.
-Complaints involving Type A homes are to be directed to ODHS district licensing offices.

Provider Qualifications

-Provider must be at least 18 years old.
-Provider must be immunized against measles mumps, rubella, tetanus and diphtheria; TB test also required.
-Signed statement from provider and family members over 18 that they have no criminal record of acts involving children.
-Type A are required to have 3 references.
-Type B providers are required to have 3 references.
-Type B Limited, no references
-Type A home personnel and other adults in home must satisfactorily complete a criminal records check.
-Type B providers and adults in home satisfactorily complete a criminal records check.

Provider Training and Orientation

- Type A Homes:
  - No preservice requirement for personnel in Type A homes.
  - Personnel in Type A homes must have a high school diploma and, unless educationally exempt, must complete 15 hours in-service training annually until 45 hours are completed.
  - Each home must have one person who has completed CPR and first aid training on the premises at all time.
  - The administrator (director) of the Type A home must have a high school diploma, 2 years child care experience or college, and, unless educationally exempt, must complete 15 hours in-service training annually until 45 hours are completed in 4 areas: child development, first aid, common childhood illnesses and child abuse prevention.
- Type B Homes:
  - No preservice requirement for personnel in Type B homes.
  - Personnel in Type B homes must complete 12 hours of in-service training during first year of certification and 6 hours annually until 30 hours are completed unless educationally exempt in the areas of child development, first aid and CPR, communicable diseases, child abuse, and family day care related topics.
  - In addition, each provider must complete a 6 hour Health and Safety in Family Day Care course during first year of certification.
- Type B Limited:
  - No training requirements for persons certified as Type B Limited Providers.

Discipline Policy

- Written discipline policy statement must be signed and approved by parents; spanking not permitted in certified Type B homes.
- Written discipline policy must be provided to parents and staff of Type A homes; spanking is not permitted.

Emergency Medical Consent Policy

- Form is required, but it does not have to be notarized.

Environmental Policy

- Testing for the presence of lead, asbestos and/or radon is not a requirement of certification or licensing; no financial assistance is available for the inspection for or remediation of the presence of lead, asbestos, or radon.
- State regulations do not specifically address the issue of pesticide use near family child care homes in rural areas, but does have general language regarding need for safe and sanitary conditions.

Immunization Policy for Children

- Children are required to be immunized; CDHS shall ensure the child's immunizations are current.
- Blood lead level screening is not required for entrance into either Type A or Type B homes.
- Immunizations for children not required for Type B Limited certification.

National Life Safety Fire Code

- Not adopted.

Nutrition Policy
-OH Department of Education is state sponsor for USDA (CACFPMR) Child Care Food Program Meal Requirements.
-Requirements follow USDA guidelines.

Smoking Policy
-Smoking has been banned in Type A and Type B homes, but the department has not been able to file rules to implement the law.

Before and After School Programs
-See additional information in Pending/New Legislation.

Infant Care Programs
-Homes rules have special provisions for care, feeding, and safety of infants.

Programs for Children with Disabilities
-Care of children with disabilities or health conditions must have a written plan for the care of that child which must be approved by the parent and provider.
-Provider must comply with the guidelines of the ADA, but it is not a condition of licensure.

Sick Child Care Programs
-Other than a cold and minor symptoms, isolate the child and observe. If more serious symptoms arise, call parents and send the child home.
-A law was passed which directed the department to develop sick child care rules, but the department has not been able to do so yet.

Zoning Regulations
-Type A homes may be excluded by zoning requirements; they face same zoning requirements as centers.
-Type B homes can operate in any neighborhood zoned residential.

Available Resources
-CACFP, Provider start-up kits when requested (includes fire extinguishers, first aid kit), loan of equipment (cribs, playpens).
-Grants or loans available to start up or expand child day care homes.

Local Contact
-For Type A homes: State Department of Human Services.
-For Type B homes: County Department of Human Services.

Pending/New Legislation
-Type C Homes. [new category]
 -Type C homes would be able to care for more children before and after school than the Type B home.

OKLAHOMA (OK)

Information
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Number of Regulated Homes

-4,022 family child care homes.

-Licensor-provider ratio: licensors carry mixed caseloads of centers and homes. The recommendation from a workload analysis was 1:58 cases, taking into consideration other responsibilities such as parent referrals and training.

Definitions and Regulatory Requirements

-Licensing required; no fee; licenses renewed every two years.

-One-year provisional licenses can be issued if the caregiver is unable to comply with requirements, usually for a physical structure improvement that is costly.

-Social security number of provider is required.

-The terms "regular" or "regularly" are not defined; law exempts "informal" arrangements which parents make independently with neighbors or friends for occasional care of children.

-"Relative Care" is care provided by relatives. This type of care and care in the child's own home is exempt from licensing.

-Provider/child ratios:

-Maximum of 7 children (including provider's own children under 5 years of age).

-When one caregiver is present, the following guidelines on the ages and total number of children in care that shall be complied with are:

Under 2 Years	2 Years and Older	Total
0	7	7
1	6	7
2	5	7
3	3	6
4	1	5
5	0	5

-When 7 children are in care and more than 2 children are under age 2, an assistant caregiver shall be present. The guidelines that shall be complied with are:

Under 2 Years	2 Years and Older	Total
3	4	7
4	3	7
5	2	7
6	1	7
7	0	7

-Providers must reside in the home used to provide care.

-Liability insurance required for transportation.
-Substitute caregiver required; does not have to be licensed, must be 18 years.
-Space requirements: 35 sq. ft. per child indoors; 75 sq. ft. outdoors.
-No Group Family Child Care Home category.

Unannounced Inspection Procedure

-Inspections of homes occur initially and three times per year.

Tracking of License Denials or Revocations

-Both denials and revocations are tracked for at least one year.

Complaint Procedure

-To file a complaint, contact either verbally or in writing a licensing representative--may be anonymous.
-An unannounced monitoring visit is made when a complaint has been filed; usually within one week or sooner if the allegation involves risk to children in care.
-Consequences: Immediate - plan of correction, notice to comply, follow-up visit, emergency order to close facility; Long term: revocation of license.

Provider Qualifications

-Provider must be 18 years old; assistant caregiver at least 16 years old.
-Initial TB test or chest X-ray required for all adults living in the home.
-Caregiver and all members of the household shall be in good physical and mental health; if concerns exist, a physician's statement shall be requested.
-No adult immunizations required.
-Four written references required.
-Criminal record checks and child abuse clearances required for providers and all adults living in the home.

Provider Training and Orientation

-No preservice training is required.
-10 hours per year in "job related" training; training in disease and accident prevention is required within one year of application and may be included in the 10-hour requirement.
-First aid techniques and use of a fire extinguisher training must be completed within one year of application; CPR not required.

Discipline Policy

-All forms of corporal punishment prohibited.

Emergency Medical Consent Policy

-Form required, but it does not have to be notarized.

Environmental Policy

-Testing for the presence of lead, asbestos, and/or radon is not required for licensing; no financial assistance is available for inspection for or the remediation of the presence of lead, asbestos or radon.
-When not on a public water supply, water shall be tested initially for lead and annually for bacteria and nitrates.
-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children

-Children must be immunized; provider must maintain health records including current immunization record; now also includes HIB (Hemophilus Influenza Bacteria, Type B).

-Blood lead level screening is not required for entrance into licensed homes.

National Life Safety Fire Code

-No policy; family child care homes shall meet any local minimum building codes and in localities where a building code does not exist, construction shall conform to the current state building code.

-When homes are located in a building containing mixed occupancies, the required separation between occupancies is one-hour fire separation assembly. If care is provided on the second floor of a multi-family dwelling, the structure shall meet the life safety provisions for multi-family occupancies.

Nutrition Policy

-OK Department of Education is state sponsor for USDA CACFP.

-Balanced meals providing 1/3 of daily nutritive requirements; mid-morning and mid-afternoon snacks; caregiver must provide food for all children able to eat regular food.

Smoking Policy

-Smoking and tobacco products are prohibited in areas where children are in care.

Before and After School Programs

-No separate special regulations; overlap time not allowed.

Infant Child Care Programs

-Special additional regulations for infants and toddlers in areas of supervision, routine, observation, bottle feeding, diaper changing, and toilet training.

Programs for Children with Disabilities

-No separate regulations.

-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs

-Sick child is isolated and parents are notified; caregiver determines whether or not to provide care depending on the apparent degree of illness, other children present, and facilities available to care for the ill child.

Zoning Regulations

-FCCH must comply with local ordinances.

Available Resources

-Family child care homes receive a monthly newsletter for home providers and a quarterly journal with information on CACFP, annual family child care conference, local associations [if available], training voucher to attend a statewide early childhood conference, videotapes, training opportunities, Good Health Handbook, equipment catalogs, handouts on home safety, carseats, daily activities, behavior/guidance, and sample menus.

Local Contact
-Department of Human Services.
-Licensing staff is headquartered in 42 of 77 county offices.

Pending/New Legislation
-None.

OREGON (OR)

Information
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Child Care Licensing Unit
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Number of Regulated Homes
- **10,950** family child care homes.
- **217** group family child care homes.
- Licensor-provider ratio: 14.5 licensors statewide for group child care homes and centers; licensors involved with family child care homes only for major complaints.

Definitions and Regulatory Requirements
- Registration Without Inspection (RWI) required for family child care homes that care for more than 3 children from more than one family.
- Providers caring for 1-3 children are exempt from regulation.
- Registration renewed every 2 yrs via the mail; $25-30 fee.
- The terms "regular" or "regularly" are not defined; however, "occasional" is defined as care provided for not more than 70 days in any calendar year. Persons providing occasional are exempt from registration.
- "Relative Care" is defined in statute as a person related to the child by blood or marriage within the fourth degree as determined by civil law.
- Social security number of provider is asked on the application, but shown as voluntary; required to receive subsidies through other state agencies.
- Maximum number of children is 10; 6 preschool children, and 4 school age, including provider's own; restrictions apply to ages of preschool children.
- Provider is required to reside in the home used to provide care, unless a waiver is approved.
- Liability insurance not required for FCCH or GCCH.
- Space requirements: none.
- **Group Family Child Care Homes:**
  - Required to be certified; $25 initial (one time) fee plus $2 per slot.
  - 7-12 children with the following staff ratios:
    - 1:4 (4 infants and toddlers)
    - 1:4 (3 infants and toddlers/1 pre-school)
    - 1:6 (2 infants and toddlers/4 pre-school)
    - 1:6 (1 infant and toddler/5 pre-school)
    - 1:10 (10 pre-school or school age)
    - 1:12 (12, all school age)
  - Certified under rules specifically for this type of facility.

Unannounced Inspection Procedure

-No home inspections done on FCCH, except in response to complaint.

-Home inspection is made by CCD and local sanitarian for GCCH.

Tracking of Registration/License Denials or Revocations

-Both denials and revocations are tracked in database for an indefinite period of time.

Complaint Procedure

-To file a complaint, call CCD field staff for GCCH or statewide 800 # for FCCH.

-When a complaint has been filed, CCD responds by mail, telephone call or a visit, depending upon the nature of the complaint.

-Consequences: range from complaint letter added to providers public record to corrective action plan to suspension.

Provider Qualifications

-Provider must be at least 18 years old.

-No adult immunizations required.

-Two references required for FCCH and GCCH.

-Provider's records must show no convictions for crimes against persons, founded child abuse allegations, felony offenses involving controlled substances, nor any other offense bearing substantial relation to qualifications, functions of operator, or employee of child care facility unless provider can document changed behavior.

-Criminal record checks of Oregon law enforcement data and child protective services records required for all adults in the registered and certified child care homes, and all adults who are in a child care facility who have or may have unsupervised access to children.

Provider Training and Orientation

-Mandatory orientation all FCCH providers.

-No preservice training required for FCCH; GCCH must have 1 year experience in group care or 20 semester hours of college training in early childhood/child development.

-No inservice training required for FCCH except at renewal they must have completed 2 hours of training in recognizing and reporting child abuse.

-GCCH providers receive pre-certification consultation on an individual basis

-15 clock hours per year of on-going training is required for GCCH, of which at least 6 hours shall be in early childhood development or early childhood education.

-First aid and CPR is not a requirement for FCCH, but is required for GCCH.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Form is required for GCCH, but it does not need to be notarized.

Environmental Policy

-Testing for the presence of lead, asbestos and/or radon is not required for registration or certification; no financial assistance is available for

inspection for or remediation of the presence of lead, asbestos or radon.
-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children

-Children are required to be immunized; provider is responsible for having a current immunization record.
-Blood lead level screening is not required for entrance into a registered or certified family child care home.

National Life Safety Fire Code Policy

-Not adopted.

Nutrition Policy

-OR Department of Education is state sponsor for USDA CACFP.
-GCCH must follow USDA guidelines.

Smoking Policy

-Smoking not allowed in areas used by children or used for food preparation in GCCH.

Before and After School Programs

-No separate special regulation.
-No policy regarding overlap time.

Infant Care Programs

-No separate special regulations.
-GCCH regulations include specific requirements if caring for children under the age of 1.

Programs for Children with Disabilities

-No separate special regulations.
-GCCH regulations prohibit discrimination on basis of need for special care.
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs

-GCCH must keep records of: a) emergency medical treatment form accepted by local medical facility (noted on form); b) information and authorization form from parents or guardian; c) medication administered to the child while in the child care facility; d) accidents, injuries, and communicable diseases.
-If child has mild cold symptoms which don't impair functioning, the child may remain in GCCH.
-Children who become ill at the day care home are isolated until they are picked up by their parents; if child has mild cold symptoms which don't impair functioning, the child may remain in the GCCH.
-If illness is serious, notify physician named on form, or take the child to the medical facility named on form.
-Parents must be notified when medication is administrated on the day given.
-For prescription and nonprescription medication, written authorization from parents is required.
-Specific symptoms and day-care restrictable diseases preclude a child from care.

-FCCH Provider:
-Sick children shall not be in care except those with mild cold symptoms which don't impair functioning.

Zoning Regulations

-FCCH and GCCH in which the provider lives are considered residential use of property for zoning purposes; no restrictions may be imposed on child care homes that are not also placed on other dwellings in residential or commercial zones.
-GCCH in which the provider does not live must meet local zoning requirements.

Available Resources

-Food program, CCR&R, professional organization.

Local Contact

-Statewide Toll Free Number to Central Office, Child Care Division: 800-556-6616, Oregon only.

Pending/New Legislation

-Summary of New Child Care Legislation - 7/22/97:
- -HB2091 - establishes a criminal history registry and revises the process of criminal review of child care providers to shift responsibility for establishing a clear background record from employer to employee.
- -HB2575 - requires CCD to adopt rules for health and safety procedures and requirements for child care facilities that receive a certificate of Registration Without Inspection; passed by the Legislature waiting to be signed into law.
- -HB2576 - prohibits smoking in child care facilities; incorporated into HB2575.
- -SB738 - requires other agencies (child protective and law enforcement) to notify Child Care Division if alleged child abuse occurred in a child care facility; adds Child Care Division as member of local multidisciplinary teams, which are responsible for handling child abuse cases in each county.

PENNSYLVANIA (PA)

Information
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Number of Regulated Homes

-**3,854** family child care homes.
-**632** group family child care homes.
-Licensor-provider ratio: GCCH= 1:90, FCCH= 1:771.

Definitions and Regulatory Requirements

-Family Child Care Homes:

-Registration required when caring for 4-6 unrelated children, no more than 2 of whom may be infants and no more than 5 of whom may be a combination of infants and toddlers.
-Providers caring for 1-3 unrelated children are exempt from regulation.
-Certificates of registration valid for 2 years.
-Social security number of provider is requested on the application.
-Provisional licenses are not issued under any circumstances; a family child care home provider self-certifies compliance with law and if an application for certification is incomplete or unsatisfactory, DPW can deny a certificate; law provides for revoking and refusing to renew a certificate.
-Applicant/operator must reside in the home used for care.
-Liability insurance not required.
-Space requirements: None inside or out.

-Group Family Child Care Homes:

-Licensing required; no fee for application; valid for no more than 12 months.
-Staff-child ratio varies according to ages and number of children present. No more than 12 children unrelated to the operator may simultaneously receive care, unless the provider cares for older school age children in which case 15 children are permitted.
-Space requirement: 40 sq. ft. per child indoor space. The allowable number of children in a space is determined by dividing the total square feet in a space by 40.
-Provider not required to reside in the home used for care; GCCH may be located in any premises that has a fire safety approval.
-Liability insurance required.

-The terms "regular" or "regularly" in regard to family or group family child care not defined.
-"Relative Care" in FCCH is defined as a child, stepchild, grandchild or foster

child. In GCCH law and regulation, is defined as a parent, child, stepparent, stepchild, grandparent, grandchild, brother, sister, half-brother, half-sister, aunt, uncle, niece, or nephew.

Unannounced Inspection Procedure

-Random inspection of 7-10% of FCCH conducted annually.
-GCCH are inspected at least once every 12 months.
-When a complaint has been filed, regional licensing representatives investigate regulatory complaints through either an unannounced or announced facility visit.

Tracking of Registration/License Denials and Revocations

-Denials, nonrenewals and revocations are tracked on an on-going basis.

Complaint Procedure

-To file a complaint, contact the regional day care office in writing or verbally.
-The provider is required to develop and implement an acceptable plan of correction for regulatory violations. The Department has the statutory base to initiate negative sanctions that include downgrading the licensing status in GCCH, and denying, revoking and not renewing a license or registration certificate in GCCH and FCCH.

Provider Qualifications

-Providers must be at least 18 years old.
-FCCH must have medical exam every 2 years, or more frequently if Dept. of Public Welfare identifies health problem; GCCH provider initial health assessment and every year thereafter; the examining physician is requested to provide information on medical problems which might threaten the health or safety of children or prohibit a staff person from providing adequate care to children when completing the staff health appraisal.
-TB screening and/or chest x-ray required.
-No references required for FCCH; 2 required for GCCH.
-Child Abuse Registry clearances and state police clearances required.
-FBI background check is required for potential child care providers residing out of state.
-All FCCH and GCCH primary staff must meet education and training or experience requirements.

Provider Training and Orientation

-No preservice training requirement for FCCH.
-GCCH require preservice requirements pertaining to education, experience or a combination of the two, but training is not required.
-On-going training is required: 12 hours every two years required for FCCH; 6 hours per year training for GCCH.
-Acceptable training topics include: child and staff health, child development, early childhood education and special education, supervision, discipline and guidance of children, nutrition for children, child care program development, and child care staff person or volunteer professional development.
-Training may also be required as follows:
 -Competence in completion of training by a professional in the field of first

aid; shall be renewed on or before expiration of certification or every 3 years, as applicable.
-Competence in the completion of lifeguard training, including first aid training and CPR for child and infant.
-Competence in the completion of basic instruction in water safety from a certified lifeguard.

Discipline Policy
-No form of physical punishment, including spanking, may be used; disciplinary methods shall not humiliate, shame, or frighten a child.

Emergency Medical Consent Policy
-Written consent is required; but consent form does not have to be notarized.

Environmental Policy
-Testing for the presence of lead, asbestos and/or radon is not required for registration or licensure; no financial assistance is available for the inspection for or remediation of the presence of lead, asbestos or radon.
-State regulations do not address the issue of pesticide use near family child care homes in rural areas.

Immunization Policy for Children
-Children must be immunized according to recommendations of the American Academy of Pediatrics; must also be in compliance with regulations of PA Department of Health regarding measles immunizations; dismissal policies must be implemented for non compliance with Department of Health measles immunizations requirement.
-Blood lead level screening is not required for entrance into a family child care home.

National Life Safety Fire Code Policy
-PA Dept. of Labor & Industry has adopted NLSFCP.
-DPW regulations require fire safety approval in all child care homes located in a residence and in all facilities located in a non-residence.

Nutrition Policy
-PA Department of Education is state sponsor for USDA CACFP.
-DPW supports the nutritional guidelines of the child care feeding program.

Smoking Policy
-Cigarettes, pipes or cigars may not be smoked in a child care space, a play space or a food preparation area when children are in care or when food is being prepared.
-Parents must be informed of the smoking policy in the facility.

Before and After School Programs
-The regulations for GCCH provide specific requirements for school age programs. FCCH regulations do not speak to school age.
-No regulations allowing overlap time; child/staff ratios must be maintained at all times.

Infant Care Programs

-Special regulations for infants are addressed within regulatory chapters; the regulations specific to infants include staff/child ratios, maximum group size, infant stimulation, meals for infants, play area and play surfaces.

Programs for Children with Disabilities

-Care of children with disabilities is regulated by a separate chapter of regulations.

-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs

-State does not have sick child care regulations; providers who offer sick child care comply with the appropriate regulatory chapters (GCCH and FCCH).

Zoning Regulations

-Local, township, and borough ordinances not addressed in current regulations.

-Department of Public Welfare advises providers to research local ordinances.

Available Resources

-Child care resource and referral, family child care association, scholarship and training funds, and USDA food program.

Local Contact

-Each regional Department of Public Welfare, Office of Children, Youth and Families has a toll-free phone number from anywhere in PA.

-Western Region:	800-222-2149
-Central Region:	800-222-2117
-Northeast Region:	800-222-2108
-Southeast Region:	800-346-2929

Pending/New Legislation

-None.

PUERTO RICO (PR)

Information
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San Juan, PR 00910
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Number of Regulated Homes

- **194** family child care homes.
- Information on the ratio of the number of homes to licensor is not available.

Definitions and Regulatory Requirements

- Licensing required if caring for up to 6 unrelated children; no fee; annual renewal.
- Staff/child ratio is 1:6.
- When two or more children under age 2 are present, a second caregiver is required.
- Social security number of provider required.
- The term "regular" is not defined.
- "Relative Care" is defined as grandparents, great grandparents, step grandparents, aunts and uncles, cousins, step parents, sisters and brothers, step sisters and brothers, nieces, nephews by blood, marriage or adoption. Persons caring for relative children are exempt from licensure unless they are also caring for non-relative children, in which case a license is required.
- Licensee must reside in the home.
- Liability insurance not required.
- Substitute caregiver system required before licensing; substitute caregiver not required to be licensed.
- No space requirement.
- **No Group Family Child Care Category.**

Unannounced Inspection Procedure

- Homes inspected before license is granted; no information available about the unannounced visit policy.
- When an allegation is filed, DSS worker visits, unannounced, to investigate the allegation.

Tracking of License Denials and Revocations

- Denials and revocations are not tracked.

Complaint Procedure

- To file complaint, contact Family Department responsible for licensing.
- Depending upon severity, consequences could lead to a probationary permit, suspension, or revocation of the license.

Provider Qualifications

- Provider must be at least 21 years old, and have an annual medical examination.
- Provider and all family members involved with the child cannot not have any history of drug or alcohol abuse, or of abusing children.
- In some instances background checks of child care providers in required, including searches of criminal records and child abuse registries.
- Information about the requirements for providers to have current immunizations, especially MMR, HIB or TB; or for other adults in the household not available.

Provider Training and Orientation

- There are no specific initial or on-going educational requirements for family child care providers; however, if training is offered by the Family Department, all providers are required to attend.
- First Aid and/or CPR are required.

Discipline Policy

- Corporal punishment prohibited; discipline should be applied in ways that help the child learn self-control and should not be humiliating or harsh.

Emergency Medical Consent Policy

- Providers required to have parents sign emergency medical form, but it is not required that this form be notarized.
- Each provider is required to have a doctor near their home to take a child to in case of emergency.

Environmental Policy

- Testing for the presence of lead, asbestos and/or radon is not a requirement of licensing.
- No financial assistance is available for the inspection of and remediation in family child care homes for the presence of lead, asbestos and/or radon.
- Regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children

- Children in family or group child care homes must have a physical examination and all required immunizations must be current.
- Blood lead level screening is not required for children prior to acceptance into a family child care home.

National Life Safety Fire Code Policy

- No policy for family child care homes.

Nutrition Policy

- No information available.

Smoking Policy

- Smoking is permitted.

Before and After School Programs

- Special regulations for before and after school children in family child care homes.

Infant Care Programs
-Separate special regulations for family child care homes; provider-staff ratio is 1:4.

Programs for Children with Disabilities
-Special regulations; spaces must be available.

Sick Child Care Programs
-No separate special regulations.

Zoning Regulations
-Homes must comply with local ordinances.

Available Resources
-Local resource and referral agencies.

Local Contact
-Family Department.

Pending/New Legislation
-None.

RHODE ISLAND (RI)

Information
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Day Care Licensing
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FAX: (401) 457-5331

Number of Regulated Homes

-708 family child care homes.
-8 group family child care homes.
-Licensor-provider ratio: 4:1046 (includes 330 centers); probably 8 licensors would be able to give optimum supervision.

Definitions and Regulatory Requirements

-Family Child Care Homes
-Certification required when caring for 4 or more children who are unrelated to the provider. If care is provided to child under 18 months of age, provider cannot care for more than 4 children under 6 years, no more than 2 of which can be under the age of 18 months; no fee; certificate renewable every 2 years; undergo screenings, fire inspections and home visits for renewals.
-Providers may have up to 8 children if there is an approved assistant present; no more than 4 child may be under 18 months old.
-Providers caring for 1-3 unrelated children are legally exempt from regulation.
-A probationary certification may be issued if a provider is temporarily out of compliance with a regulation, a plan for correction is filed and approved if the health and safety of the children in care are not in danger.
-Social security number of provider, assistants and emergency coverage persons for screening purposes with new departmental computer system.
-The terms "regular" or "regularly" are not defined.
-"Relative Care" means any of the following relationships, by a natural parent: parent, grandparent, brother, sister, aunt, uncle, and first cousin.
-Parents must have unlimited access to FCCH.
-Providers must reside in the home used for care.
-Providers must have two substitute caregivers to call in case of emergency (do not have to be certified, but they are screened).
-Space requirements: 35 sq. ft. per child indoors.

-Group Family Child Care Homes:
-Licensing required and must be renewed annually.
-Care for 9-12 children with one or more state approved assistants depending on the ages of the children in the home.
-Space requirements: 35 sq. ft./child indoors; 75 sq. ft./child outdoors.

Unannounced Inspection Procedure

-Homes are inspected before certification and at renewal.

-Complaint allegation is assigned to a worker who makes an unannounced visit to investigate.

Tracking of Certificate/License Denials and Revocations

-Denials and revocations are not tracked.

Complaint Procedure

-To file complaint, phone or write the day care licensing unit.
-Depending on the nature of the violation, provider might be given time period for correction or certification might be revoked or put on probationary status.

Provider Qualifications

-Provider must be at least 18 years old for FCCH; 21 years old for GCCH.
-Physical exams required at certification and at renewal.
-TB is required for group day care home providers and assistants.
-No other adult immunizations are addressed.
-No information about number of references required.
-Statewide criminal check made on all adults in provider's home.
-Fingerprinting for nationwide FBI check required for provider and assistants; no cost.

Provider Training and Orientation

-Preservice training is required.
 -amount not specified for FCCH.
 -several possible combinations of education and experience ranging from Bachelor's or Master's Degree in Early Childhood Education to five years experience and three courses at post secondary level for GCCH.
 -Provider must have training and/or experience in caring for children under 6 years of age.
-On-going training is required.
 -10 hours of training required every 2 years; training must be relevant to the care of young children and may include workshops, conferences, seminars; documentation required.
 -In homes with 8 children, provider and assistant must have this training.
 -8 hours of training (as above) required every year for provider and assistant(s) in GCCH.
-CPR and first aid are required for GCCH but may be included in above-listed training requirements; FCCH only required to have basic knowledge of first aid - CPR not required.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Form is required; but it does not have to be notarized.

Environmental Policy

-Testing for the presence of lead, asbestos, and/or radon is not required for licensure; no financial assistance is available for the inspection for or remediation of the presence of lead, asbestos or radon.
-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children

-Children are required to be immunized or in the process of being immunized according to the schedule at initial enrollment; provider is not required to do follow up.

-Blood lead level screening is required and is a part of the child's medical form.

National Life Safety Fire Code Policy

-Code has been adopted for GCCH; compliance with code is required for licensing.

Nutrition Policy

-RI Department of Education is state sponsor for USDA CACFP.

-Must insure that children receive nutritious meals and snacks.

Smoking Policy

-Smoking allowed; risk factors to children from second-hand smoke not addressed.

Before and After School Programs

-No separate special regulations; no policy on overlap time; child/staff ratios must be maintained at all times.

Infant Care Programs

-No separate special regulations.

Programs for Children with Disabilities

-No separate special regulations.

-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs

-Sick child care is allowed. General regulations address the care of sick children.

Zoning Regulations

-Family child care homes allowed to operate in residential areas by law.

Available Resources

-CACFP, Family Day Care Home Association, Statewide Referral Service, RI Child Care Training System, other training and conferences information.

Local Contact

-Day Care Licensing, Dept. of Children, Youth, and Families.

Pending/New Legislation

-None.

SOUTH CAROLINA (SC)

Information
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Number of Regulated Homes

-**30** licensed family child care homes.
-**2,130** registered family child care homes.
-**374** group family child care homes.
-Licensor-provider ratio: no requirements.

Definitions and Regulatory Requirements

-**Family Child Care Homes:**
 -Homes have option of being licensed or registered; if licensed, suggested standards become mandated; only those homes electing to participate in a federal program can be licensed; provisional licenses are issued for a maximum of one year until all regulatory requirements are met.
 -Providers may have maximum of 6 children including family members under age 12 at any one time.
 -Registered on a yearly basis; application is submitted each year for renewal. Licensure on a two year basis if regular.
 -Social security number of provider is required on the SLED Check form and on the application for original or renewal.
 -The terms "regular" or "regularly" are not defined.
 -"Relative Care" is not defined.
 -References, consumer parent statements, central registry permission forms, and state and federal criminal records check required for original registration; consumer parent statements plus application for renewal; law now requires federal fingerprint by June 1, 1996.
 -Registered FCCH not inspected unless a complaint is received; licensed homes are inspected prior to licensing and twice a year following.
 -Providers are required to provide care in occupied residences.
 -Space requirements: no requirement for registered FCCH; licensed FCCH - 35 sq. ft. inside and 75 sq. ft. outside per child.

-**Group Family Child Care Homes:**
 -Composed of 7-12 children including family members under 12; if there are 9 or more children present, or 4 are under the age of 2, an additional caregiver must be present.
 -Provider/child ratios: infants (up to 2 years - 1:6; 2 year olds - 1:10; 3 year olds - 1:13; 4 year olds - 1:18; 5 year olds - 1:21, and 6-12 year olds - 1:23.
 -Providers are not required to reside in the home in which care is provided.

Unannounced Inspection Procedure

-GCCH are inspected prior to licensing and twice a year following.
-Written and signed complaints or oral complaints are investigated by an unannounced visit and follow-up monitoring.

Tracking of Registration/License Denials and Revocations

-No tracking system; special filing system for withdrawals and denials.

Complaint Procedure

-To file a complaint, phone or write Department of Social Services.
-Consequence for violations include continued monitoring and possible closure.

Provider Qualifications

-Registered providers have no requirements; suggested standards are mandated for licensed providers.
-GCCH providers must be at least 21 years old; caregivers must be 18 years of age but 14 year olds and above can be permitted as caregivers if properly supervised.
-Providers must complete medical statements when submitting applications; physical exam required only if medical problem is apparent for licensed GCCH providers/FCCH providers.
-No other adult immunizations required.
-Three written references from persons unrelated to provider required (GCCH) and (FCCH).
-GCCH providers must have high school diploma/GED/Child Development Associate Credential with at least one year's experience in a licensed/approved child care facility as a caregiver.
-Criminal history checks are required for all licensed facilities.

Provider Training and Orientation

-Preservice training not required for registered homes, only for licensed homes.
-No on-going training requirement for registered homes.
-15 hours per year required on-going training for licensed homes.
-Require CPR and basic first aid for licensed homes.

Discipline Policy

-Corporal punishment permitted in licensed homes with written parental consent.

Emergency Medical Consent Policy

-Form is required for licensed homes, but it does not have to be notarized.

Environmental Policy

-Testing for the presence of lead, but not for asbestos or radon is a condition of licensure; no financial assistance is available for the inspection for or remediation of the presence of lead.
-DHEC comments on the presence of lead, but not on the absence of lead.
-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children

-Children in registered homes do not have to be immunized.

-Children in licensed homes have to be and the provider is responsible for seeing that records are current. [Now monitored by DHEC]
-Blood lead level screening is not required for entrance into a home.

National Life Safety Fire Code Policy
-Not adopted.

Nutrition Policy
-No nutritional regulations.
-Sponsors USDA CACFP.

Smoking Policy
-No regulations pertaining to this.

Before and After School Programs
-If operated less than 4 hours a day, this home would not come under the law.
-No overlap is allowed.

Infant Care Programs
-No separate special regulations.
-Licensed homes must meet fire regulation.

Programs for Children with Disabilities
-No separate special regulations.
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs
-Regulations for GCCH same as day care centers.
-Regulations for licensed FCCH.

Zoning Regulations
-FCCH and GCCH must comply with local zoning regulations.

Available Resources
-CACFP and ABC voucher.

Local Contact
-Area Day Care Licensing and Regulatory Office.

Pending/New Legislation
-None.

SOUTH DAKOTA (SD)

Information
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Number of Regulated Homes

- **1,176** family child care homes.
- **61** group family child care homes.
- Licensor-provider ratio: 1:11.6 average for Licensed Group Child Care Homes, 1:170 average for Registered Family Child Care Homes; workloads are uneven, and an assessment project will be implemented to determine optimum distribution and supervision work.

Definitions and Regulatory Requirements

- **Family Child Care Homes:**
  - Registration only required for providers receiving public funds; maximum number of children allowed: 12 with no more than 4 children under the age of 2 years and no more than 2 of those 4 can be under the age of 1, unless assisted by registered assistant; provider's children under 6 years of age must be counted.
  - Registration renewal occurs every 2 years.
  - Providers caring for 12 or fewer children and who do not receive public funds are legally exempt from regulation.
  - Social security number of provider is not required on application form, but is requested on the permission for Central Registry form required for registration or licensure.
  - Providers must reside in the home in which care is provided.
- **Group Family Child Care Homes:**
  - Licensure required of all providers; may care for 13-20 children.
  - License is effective for 1 year; provisional licenses available on a variable basis.
  - Staff/ratios: 1:5 ages birth to 3 years; 1:10 ages 3 years up to 6 years; 1:15 ages 6 years or older; mixed age ratio: must meet the requirements of the age grouping that comprises the majority of the groups except when children under 3 years of age are present. When 3 or more children under the age of 3 years are present in a mixed age group, the staff/child ratio for children under 3 years of age must be maintained.
  - Provider's children under age 6 must be counted.
  - Space requirements: 35 sq. ft. per child indoors, 50 sq. ft. per child outdoors.
  - Department of Commerce, upon request from this office, inspects before initial license and annually thereafter for fire and life safety and health

compliance and licensure regulation compliance.
-Provider not required to reside in facility in which care is provided.
-The terms "regular" or "regularly" are not defined.
-"Relative Care" is defined by the subsidy program as a person who is 18 years old or older and who is a grandparent, aunt or uncle to the child; also includes a sibling who is 18 years old or older who is not living in the home.

Unannounced Inspection Procedure
-FCCH are visited prior to the issuance of the initial registration certificate. Inspections occur at least one time every 2 years after initial registration.
-GCCH: on-site licensing visits occur before initial license and annually thereafter.
-Majority of visits are unannounced, but some are announced.

Tracking of Registration/License Denials and Revocations
-Just beginning to set up system tracking all negative actions.

Complaint Procedure
-To file a complaint, contact local DSS office of Child Care Services.
-In the event of a complaint, an investigation is completed and corrective action plan developed or registration is revoked if indicated; unannounced visits are made if complaint issues warrant.
-Consequences for violation include issuance of corrective action plan; if the children are in eminent danger, may be immediate suspension or revocation; may issue provisional registration or revoke registration.

Provider Qualifications
-Provider must be at least 18 years old for FCCH.
-Provider must be at least 21 years of age for GCCH, except that an individual who is at least 18 and has a child development technician diploma or a child development associate certificate may qualify for GCCH.
-Provider must be TB tested and have physical exam before beginning operation; household members must have TB tests, and children under 18 living in the home must be currently immunized.
-No information about other requirements for adult immunizations.
-3 positive references.
-Applicants and all adult household members screened against the State's Central Registry of Child Abuse/Neglect before registration.

Provider Training and Orientation
-Orientation required for GCCH within one month of being hired and must include information on the home's functions and services, available community resources, job duties of each staff member, emergency methods and emergency escape routes.
-6 hours of training every year before for renewal for FCCH in at least two of the following areas: health and safety, planning learning activities, child growth and development, guidance and discipline techniques, detecting and reporting child abuse and neglect, communication and relations with families, food handling techniques, prevention of communicable diseases, procedures in the event of fires or natural disaster, and meal planning and nutrition.
-First aid and CPR training must occur during the first year of registration or licensure and certification must remain valid.

-10 hours of training annually for license renewal for GCCH in categories listed above for FCCH.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Form is required, but it does not have to be notarized.

Environmental Policy

-Testing for the presence of lead, asbestos and/or radon is not required for registration; no financial assistance is available for the inspection for or remediation of the presence of lead, asbestos or radon.

-State regulations do not address the issue of pesticide use near family child care providers in rural areas.

Immunization Policy for Children

-Children must be immunized; provider is responsible for seeing that immunization record is current.

-Blood lead level screening is not required for entrance into homes.

National Life Safety Fire Code Policy

-Office of Fire Marshal implemented for GCCH which incorporate Uniform Building Code.

Nutrition Policy

-SD Department of Education is state sponsor for USDA CACFP.

-If a child is in family child care during the home's regular meal time, the child must be offered a meal which consists of a variety of foods from the five food groups of the Food Guide Pyramid and which supplies at least one-third of the child's daily nutritional needs. Nutritious midmorning, mid-afternoon, and evening snacks must be served between meals as long as there are at least two hours between each meal and snack. Breakfast may be substituted for mid-morning snack. Infants must be fed according to their individual schedule and must be held while bottle feeding.

Smoking Policy

-Registered FCCH are forbidden to smoke; smoking is a law enforcement issue.

-In GCCH smoking is prohibited inside the building where children are present; smoking area must have source of natural or mechanical ventilation.

Before and After School Programs

-FCCH may have no more than 2 additional school age children; and GCCH may have no more than 3 addition school age children as defined in the following situations by South Dakota statute:

 -facility may care for the above listed number of children, if the children are of school age, beyond the grade of kindergarten, receive services only before and after school hours, or if the additional children are at the facility because of family emergency or special circumstance.

 -any additional children in care pursuant to statute shall be counted in maintaining staff-to-child ratios as prescribed by the DSS.

-Separate regulations for before and after school child care are in progress.

Infant Care Programs

-Separate special regulations are being considered.

Programs for Children with Disabilities

-No separate special regulations.

-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs

-Sick child is to be isolated and parents notified. Health Dept. must be notified if child contracts contagious disease. Notification to all or some parents on a need to know basis.

-No separate special regulations.

Zoning Regulations

-Must comply with local ordinances.

Available Resources

-No information provided.

Local Contact

-State Department of Social Services.

Pending/New Legislation

-None.

TENNESSEE (TN)

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Number of Regulated Homes

- **1,069** licensed family child care homes.
- **646** licensed large family child care homes.
- **803** registered family child care homes.
- Licensor-provider ratio: for FCCH (5-7 children) - 1:16; two licensed categories of homes - 1:26 homes.

Definitions and Regulatory Requirements

- Licensing required for homes caring for FCCH and LCCH; fee for FCCH is $5 annually and for LCCH, $10 annually, money goes to state general fund.
- Licenses renewed annually.
- Provisional ("conditional") licenses used for start-up, based on passing fire and health inspections, and caregiver's qualifications and references. Good for 90 days.
- FCCH: Care for at least 5 children but not more than 7 who are not related to the primary caregiver. If 4 or more infants/toddlers are enrolled, they shall have their own space and their own caregiver for their safety and security and for infection control.
- Providers caring for 4 or fewer children are legally exempt from regulation, but may choose voluntary registration demonstration project listed below.
- FCCH must reside in the home in which care is being provided.
- Social security number of provider is required.
- The terms "regular" or "regularly" are not defined; however, care provided for less than 3 hours a day are not regulated.
- "Relative Care" means for purposes of child care: the children, stepchildren, grandchildren, step-grandchildren, siblings of the whole or half-blood, step-siblings, nieces, nephews or foster children of the primary caregiver.
- **Demonstration Projects**: have been conducting a voluntary FCCH registration project (with Dependent Care Grant and later CCDBG) since October 1990 in all areas of the state.
  - Registration Certificate granted to caregivers who meet all registration rules; good for 3 years.
- Liability insurance required only for transportation.
- **Large Family Child Care Homes:**
  - Care for at least 8 children but not more than 12 children who are not related to the primary caregiver; provided, however, that up to 3 additional

school age children may be received for care before and after school, on school holidays, on school snow days and during summer vacation.
- One, two or three caregivers required based upon the ages and number of children served:
  - maximum of 15 children with one caregiver and no child under age 3 present.
  - over 12 children are enrolled, additional children shall be school age and a school age program shall be provided with one caregiver.
  - maximum of 15 children are present and at least one but not more than 9 children are present who are under the age of 3, the 2 caregivers shall be present; if more than 4 of those children are under 2 years of age, 3 caregivers shall be present.
  - over 12 children are enrolled, the additional children shall be of school age and a school age program shall be provided with 2 caregivers.
  - maximum of 15 children are present and 10 or more children present are under 3 years of age, there shall be 3 caregivers present.
  - if over 12 children are enrolled, the additional children shall be of school age and a school age program shall be provided with 3 caregivers.
- Space requirements: 30 sq. ft. indoors for LCCH; local ordinances sometimes specify space outdoors.
- Providers not required to reside in the facility in which care is provided.
- Before 8 or more children are enrolled, the facility shall be approved by a fire safety inspector and by an environmentalist.

Unannounced Inspection Procedure

- Homes inspected prior to licensure and subsequent visits occur once a year (one of visits is unannounced); homes with violations inspected quarterly or as needed.
- Agencies in full compliance at least 2 years may be re-evaluated every other year, or if accredited, every 3 years. Agency must maintain compliance and receive no valid complaint reports and (because the law requires it) will receive one inspection visit and an annual license.

Tracking of Registration/License Denials and Revocations

- Both denials and revocations have been tracked since 1971.

Complaint Procedure

- To file a complaint, call DHS and report to licensing staff.
- When a complaint has been filed, may hold until next site visit; will talk to director/owner, may interview collaterals to verify; visit may/may not be unannounced.
- Consequences: 1. Agency is "put on notice" and must submit plan for corrective action; 2. denial/revocation/suspension; 3. If upheld, must close for 60 days, 6 or 12 months based on number of times.

Provider Qualifications

- Provider must be 18 years old; LCCH primary caregiver must have a high school diploma or equivalent.
- Physical exam, including TB test, required prior to licensing and follow-up exam every 3 years.
- No other immunizations required of adults.
- Three written references required.

-No criminal records check or fingerprinting required by law, but child welfare agencies may require them.

Provider Training and Orientation

-Preservice "orientation" provided by DHS required to obtain license.
-Preservice training is required; amount varies.
-FCCH required to have 4 clock hours in-service training annually.
-LCCH (primary caregivers only) required to have 8 hours training in child care annually.
-After the first year, training hours must be in addition to required topics such as CPR, First Aid, CACFP, or Personal Safety.
-CPR and First Aid are a separate requirement.

Discipline Policy

-Spanking is prohibited.

Emergency Medical Consent Policy

-Form is required, but does not have to be notarized.

Environmental Policy

-Testing for the presence of lead, asbestos, and/or radon is not a requirement for licensure; no financial assistance is available for the inspection for or remediation of the presence of lead, asbestos or radon.
-State regulations do not address the issue of pesticide use near family child care homes in rural areas.

Immunization Policy for Children

-Children are required to be immunized; provider must keep immunization records current.
-Blood lead level screening is not required for entrance into the home.

National Life Safety Fire Code Policy

-Adopted.

Nutrition Policy

-Is state sponsor for USDA CACFP.

Smoking Policy

-Smoking is restricted in group care homes licensed by DHS, not operated in private homes; Otherwise smoking is allowed but, parents must be informed.
-Advisory Committee reasoned that "no smoking" rule could not be enforced; risk factors to children from second-hand smoke not addressed.
-Federal Pro-Children Act of 1994 restricts smoking completely within day care facilities that are constructed, operated or maintained with federal funds, but does not apply to private residences.

Before and After School Programs

-No separate special regulations.

Infant Care Programs

-No separate special regulations.

Programs for Children with Disabilities

-State is in compliance with Sec. 504 of Rehabilitation Act of 1973.
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs

-Incorporated with other licensure, standards are pending.

Zoning Regulations

-Child care homes must comply with local ordinances, but not enforced by licensing staff. [Lack of enforcement has recently been challenged and may be addressed in the near future.]

Available Resources

-Preservice and inservice training and technical assistance.

Local Contact

-Dept. of Human Services.

Pending/New Legislation

-None.

TEXAS (TX)

Information
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Number of Regulated Homes

-**12,192** family child care homes.
-**1,668** group family child care homes.
-Licensor-provider ratio: 1:82 (with family child care homes on a 30% annual inspection); 1:50 would be more optimal with 100% monitoring of family child care.

Definitions and Regulatory Requirements

-Family Child Care Home

-Registration required when caring for 4-6 children; annual fee of $35; monies go to the General Revenue Fund for the state; registration in effect until revoked or home voluntarily ceases providing care.
-Providers caring for 3 or fewer child care children are exempt from regulation.
-Provisional licenses are not issued, but probation applies to registered and licensed facilities for providers who are not in compliance consistently; probation usually lasts for 6 months, but time may vary.
-The term "regular" means that care is provided at least 4 hours a day, 3 or more days a week for more than 9 consecutive weeks.
-"Relative Care" means children who are related to the caretaker: children, grandchildren, siblings, great-grandchildren, nieces or nephews of the caretaker, whether by affinity or consanguinity or as the result of a relationship created by court decree. Providers who are caring exclusively for any number of children who are related are exempt from regulation.
-Social security number of provider is required.
-Registered homes may care for 6 preschool children and an additional 6 elementary school age children, under 14 years of age, for a total of no more than 12 children including the caregiver's own children.
-Registered provider may care for up to 4 infants (defined as 18 months or younger); capacity for older children varies depending upon the ages of children and the number of infants.
-"Parents Guide to Registered Family Homes" must be given to parents.
-Providers must reside in the home in which care is provided.
-Space Requirements: none.
-Liability insurance not required.

-Group Family Child Care Homes:

-Licensing required; annual fee of $47; monies go to General Revenue Fund.
-Providers can care for up to 12 children under 14 years of age.

-With one provider, from 0-4 infants can be cared for with adjustments in the number of toddlers and school age children.
-With two providers, from 0-10 infants can be cared for with adjustments in the number of toddlers.
-Space Requirements: at least 30 sq. ft. indoor activity space for each child.
-Providers not required to reside in the facility in which care is provided.

Unannounced Inspection Procedure

-All homes inspected prior to registration; 30% sample per year thereafter.
-Unannounced inspections at least once per year for GCCH.

Tracking of Registration/License Denials and Revocations

-Both denials and revocations are tracked; records retained for 10 years; data held for 15 years.

Complaint Procedure

-To file a complaint, contact any licensing office.
-When a complaint has been made, visit usually is made and usually unannounced.
-Consequences range from call for correction to revocation.

Provider Qualifications

-Registered and licensed providers must be at least 21 years old.
-TB test required prior to registration for caregiver and all persons in the home over 14 years of age.
-No other adult immunizations required.
-No information about number of references required.
-Criminal record check and child abuse registry check done prior to registration or licensing; no fee.

Provider Training and Orientation

-FCCH must have 6 hours orientation prior to registration; none for GCCH.
-20 clock hours per year on-going training for FCCH.
-GCCH must have 20 clock hours of on-going training per year for the director and 15 clock hours per year for staff.
-Training areas include child development, discipline and guidance, nutrition, age and developmentally appropriate activities, sanitation, health, safety, business management, risk reduction/risk management, communication with peers and other professionals, parent involvement, and utilizing community resources.
-Providers must have current certificates of First Aid and CPR for infants and children, but can be included in annual training requirement.

Discipline Policy

-Corporal punishment prohibited for children under age 5 years; may be used on a child over age 5 years with parental consent. No instrument may be used in delivering punishment.

Emergency Medical Consent Policy

-Form is required, but it does not have to be notarized.

Environmental Policy

-Testing for the presence of lead, asbestos or radon in not required for registration or licensing; no financial assistance is available for the

inspection for or remediation of the presence of lead, asbestos or radon.
-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children

-Children must be immunized; provider is responsible for complying with the requirement and therefore must pressure the parent to stay current.
-Blood lead level screening is not required for entrance into the homes.

National Life Safety Fire Code Policy

-Registered homes are not required to obtain fire inspection from local or state fire inspector.
-Licensed homes must obtain fire inspection from local or state fire inspector.

Nutrition Policy

-TX Department of Human Services is state sponsor for USDA CACFP.
-Standards require nutritious meals and snacks.

Smoking Policy

-Smoking is not allowed.

Before and After School Programs

-No separate special regulations.
-No policy regarding overlap; child/staff ratios must always be maintained.

Infant Care Programs

-No separate special regulations.

Programs for Children with Disabilities

-No separate special regulations.
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs

-Providers must notify parents if child becomes ill while in care and obtain emergency treatment when applicable.
-GCCH homes which are licensed are currently prohibited from caring for sick children unless approved in writing by health personnel. State considers waivers/variances from licensed providers on prohibition for caring for sick children, and licensed provider usually receives waiver of the standard.
-FCCH standards do not prohibit care for sick children.

Zoning Regulations

-Local ordinance may limit the number of children in care.

Available Resources

-Standard orientation and associations may be in or near the community.

Local Contact

-TX Department of Protective and Regulatory Services.

Pending/New Legislation

-None.

UTAH (UT)*

Information
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Office of Licensing
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Number of Regulated Homes

- **2,455** family child care homes.
- **235** group child care homes.
- Licensor-provider ratio: Ranges from lowest caseload of 1:80 to 1:206; average is 1:160; optimum ratio would be 1:100.

Definitions and Regulatory Requirements

-Family Child Care Homes:

- Licensing required when caring for 4-6 children; $25 fee plus additional $1.50/child cared for must be paid; money is placed in general fund of the Department of Human Services; includes provider's own children age 6 and under and not having completed kindergarten.
- Providers caring for 1-3 children are exempt from regulation.
- Licenses renewed annually; fees paid annually with renewal.
- Provisional licenses are not issued under any circumstances; a license can be placed on "conditional" status.
- Social security number of provider is required.
- No information on definition of the term "regular."
- No information about definition of "Relative Care."
- Substitutes are not required to be licensed.
- Provider/child ratio:
  a) infant only - 1 caregiver to 3 infants;
  b) regular license - 1 caregiver to 2 infants plus 4 children ages 2 and older.
  c) school-age option - if all children are 2 and older, then 6 children plus 2 school-age children may be cared for. If one child is under age 2, then 6 children plus 1 school age child may be cared for.

-Regulations do not specifically say provider must reside in the home in which care is provided; just must be care within a family residence.

-Space requirements: FCCH - 35 usable sq. ft. per child free for activities and 40 sq. ft. of usable outdoor play area per child; caregiver may use other easily accessible outdoor areas if conveniently located.

-Group Family Child Care Homes:

- 7-12 children may be cared for including provider's own children under age 6 and not having completed kindergarten.
- Provider/child ratio is 1:6 and provider/infant ratio is 1:2.

Unannounced Inspection Procedure

- Homes inspected prior to licensing; department attempts to inspect homes once a year thereafter.
- When a complaint has been filed, an unannounced visit is made.

Tracking of Registration/License Denials and Revocations

- Both denials and revocations are tracked; no specific time.

Complaint Procedure

- To file a complaint, call licensor at the local DHS office.
- Parents are encouraged to call in complaints.
- Consequences: a Monitoring Review Form #810 is completed with a plan of corrective action if necessary. We can condition a license; suspension or revocation are long term penalties.

Provider Qualifications

- Provider must be 18 years old.
- Physical exams required upon entry of employment.
- TB is required, but other immunizations are encouraged.
- No requirement for other adult members in household to be immunized.
- Two written references required.
- Child abuse registry check required of potential providers, and at renewal.
- Bureau of Criminal Identification checks required on new provider licensing applicants and at renewal times. If the check shows any criminal activity, then fingerprints are required to be done.
- Child Abuse and BCI checks completed annually on all substitutes and household members 18 years and older.

Provider Training and Orientation

- 2 hours training required for FCCH or GCCH providers before initial licensing.
- State required to offer 12 hours of training to each potential provider.
- Each provider required to attain 12 hours of approved training annually.
- Training may include child growth and development for infants, toddlers, preschoolers and school age children, discipline, parent and provider communication, professionalism, health and safety practices and infection control, child care programming and activities, nutrition and eating habits, and care and education of children with special needs.
- CPR/First Aid course required within first year of licensing; must be current.

Discipline Policy

- Corporal punishment prohibited.

Emergency Medical Consent Policy

- Form is required, but it does not have to be notarized.

Environmental Policy

- Testing for the presence of lead, asbestos, and/or radon is not a requirement for licensure; no financial assistance is available for the inspection for or remediation of the presence of lead, asbestos or radon.
- No information about use of pesticides near family child care homes in rural areas.

Immunization Policy for Children

-Children are required to be immunized; record of the child's immunizations shall be on file, updated as soon as possible or within 60 days.
-Blood lead level screening is not a requirement for entrance into homes.

National Life Safety Fire Code Policy

-Has not been adopted for family child care homes by Office of Licensing; some local fire departments are using the LSFC as they check homes.

Nutrition Policy

-Office of Education is state sponsor for USDA CACFP.
-Providers must meet USDA nutrition requirements.

Smoking Policy

-Smoking is not allowed when day care children are present.

Before and After School Programs

-Standards allow for school age overlap if there is enough space; with no children under age 2 in care, 2 additional school age children may be there; with one child under age 2 in care, only 1 extra schoolager can be in there.

Infant Care Programs

-No separate special regulations.

Programs for Children with Disabilities

-No separate special regulations.
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs

-No sick child care facilities in the state that are regulated by the State. However, several hospitals provide sick child care to anyone in the community on a 24 hour basis as long as there are nurses and beds available for the care of the children.
-Standards state that if a child shows signs of illness after arrival, the provider shall contact the parent immediately, and it is the parents responsibility to pick up their child and provide continued care.

Zoning Regulations

-Child care homes must comply with local ordinances.

Available Resources

-A list of CACFP sponsors, provider associations, where to obtain tax information and resource and referral agencies.

Local Contact

-Licensing is initiated and completed at the local regional office. The local regional offices are under the umbrella of the Department of Human Services.

Pending/New Legislation

-None.

* Information from *1996 Family Child Care Licensing Study*

VERMONT (VT)

Information
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Number of Regulated Homes

-**1,600** (approximate) family child care homes.
-**20** group child care homes.
-Licensor-provider ratio: 1:420.

Definitions and Regulatory Requirements

-Family Child Care Homes

-Registration required; providers caring for children from more than 2 families;
-Providers caring for children from 1 or 2 family are legally exempt from regulation, unless payment for care is state/federal funds; however, they may voluntarily register.
-Registration renewed annually by notice from CCSD.
-On-site preregistration site assessment and rules review is conducted for all applicants for registration.
-Social security number of provider required but not given to inquiring parents.
-The term "regular" is not defined.
-"Relative Care" means children, grandchildren, great-grandchildren or step-children of the provider are not counted in the maximum number of children allowed in the GCCH or FCCH.
-FCCH care for maximum of 6 children full-time plus additional 4 school-age children for not more than 4 hours per day on a before and/or after school basis, not including provider's children over two years of age.
-Provider/infant ratio is 1:2 including provider's children under age 2 years. When all children are under age 2, a 1:3 ratio is allowed in FCCH; also allows for 2:6 ratio.
-School age children may be in care for a full day when school is closed during school year, or during summer if second adult is on duty before the seventh child arrives, provider's own preschoolers count in summer for 12 option (up to 12 children in summer with 2 caregivers on duty).
-Parents have unlimited visitation of child care home without delay.
-Space requirements: Area must be "sufficient in size to permit children to move about freely" in registered homes.
-Provider must reside in the in home in which care is provided and be the primary caregiver.

-Group Family Child Care Homes:

-Licensing required, inspected prior to licensure and annually; licenses may be issued for up to 3 years; maximum of 12 children.

- -Provisional licenses are issued and are nonrenewable for less than 12 months; provider must demonstrate a strong likelihood that compliance to all regulations will soon be met.
- -Provider/child ratio is 1:6 in a mixed-age group; provider/infant ratio is 1:2; with all 2 year olds, provider/child ratio is 1:5.
- -Licensed providers care for children in their home or at another site.
- -Opportunity for two parent/provider conferences per year, for one parent/provider conference per year for school age care programs.
- -Space requirement: 35 sq. ft. per child indoors; 75 sq. ft. per child indoors.
- -Liability insurance required.

Unannounced Inspection Procedure

- -Inspections during licensing and twice annually thereafter.
- -When a complaint has been filed, an unannounced follow-up to all serious concerns reported; telephone and mail follow-up for less serious complaints.

Tracking of Registration/License Denials and Revocations

- -Both denials and revocations are tracked forever.

Complaint Procedure

- -To file a complaint, call 1-800-540-7942.
- -Consequences: If substantiated, the report of non-compliance will be in provider's record and will be reported to inquiring parents for up to 12 months after infraction cited if its occurrence was within the previous 12 months.

Provider Qualifications

- -Providers must be at least 18 years old, be able to read, and not have a report of abuse substantiated against them or anyone else residing in the home.
- -TB is not required.
- -Three written references from non-related persons required for provider.
- -Three references gained over telephone for assistants required in licensed facilities.
- -No provider nor anyone living in the home can have been convicted of child cruelty or a felony involving a violent act.
- -Child abuse registry check and criminal record check required of licensees, staff in licensed facilities, registrants, and persons over 16 years of age residing in home.
- -A person responsible for developing and implementing the program in a facility of 12 or fewer children shall have one of the following qualifications:
  - a) Child Development Associate (CDA), or
  - b) Associates Degree in Early Childhood, or Human/Child Development (includes Pediatric Nursing), or
  - c) Two years of successful experience working with groups of children and at least one successfully completed higher education course in early childhood related topics (to be completed within 9 months), or
  - d) Certified Child Care Professional Early Childhood Education Specialist, or
  - e) Certified in Child Care from VT Community College or Vo-Tech Program.

Provider Training and Orientation

- -Initial orientation required for all providers.
- -6 hours of training per year required for all registered providers, or

-6 hours of training per year required for licensed program staff; training is required in infant/child CPR within first year of registration, training is encouraged in first aid, and child abuse identification/prevention/reporting; 9 hours of training per year for directors or head teachers in licensed homes.
-CPR/First Aid certification is a separate training requirement.

Discipline Policy
-Corporal punishment prohibited.

Emergency Medical Consent Policy
-Form is required, but it does not have to be notarized.

Environmental Policy
-Testing for the presence of lead, asbestos, and/or radon is not a requirement for registration; no financial assistance is available for the inspection for or remediation of the presence of lead, asbestos or radon.
-Although lead testing is not yet required, the VT Health Department will provide an on-site assessment at no charge.
-State regulations do not address the issue of pesticide use near family child care homes in rural areas.

Immunization Policy for Children
-Children are required to be immunized; provider is responsible for assuring that immunizations are age appropriate and up to date.
-Blood lead level screening is not required for entrance into homes.

National Life Safety Fire Code Policy
-Not adopted for registered home; modified NFPA and BOCA for licensed homes.

Nutrition Policy
-VT Department of Education is state sponsor for USDA CACFP.
-Meals and snacks shall be adequate, nutritious, clean and free from spoilage; emphasis shall be on foods that are unprocessed, low in salt and sugar.

Smoking Policy
-Smoking is allowed in FCCH, but prohibited in the presence of children.
-Smoking is prohibited "on the premises" or in view of the children in GCCH.

Before and After School Programs
-FCCH providers can care for 10 school age if all are school age and at least 4 attend for less than 4 hours.
-No overlap time allowed; appropriate child/staff ratio must be maintained.

Infant Care Programs
-Infants shall be allowed to nap when tired.
-Napping infants must be monitored by in person checks at least every 15 minutes.
-Infants and toddlers shall be protected from the harmful acts of older children.
-Infants and toddlers shall have ample opportunities in a safe area for creeping, rolling, and walking.
-When infant equipment used for supervised play, usage shall not exceed 1/2 hour per 3 hours.
-Spaces between the upright slats in cribs shall not exceed 2 3/8 inches.

- Rocking chair(s) or other comfortable adult-sized seating(s) shall be provided in each of the infant and toddler areas.
- Toys for infants and toddlers shall be large enough to prevent swallowing or choking.
- Special regulations for food preparations for infants.

Programs for Children with Disabilities

- Program modifications and emergency procedures related to enrolled children with disabilities shall be developed and followed.
- Providers must comply with the guidelines of the ADA.

Sick Child Care Programs

- Not permitted in licensed homes.

Zoning Regulations

- FCCH caring for 6 children or fewer are exempt from zoning laws.
- GCCH must comply with local ordinances.

Available Resources

- Orientation and "Technical Assistance Packet for Family Day Care Home Registration."

Local Contact

- State office of the Child Care Licensing, Child Care Services Division, 103 S. Main St., Waterbury, VT 05671-2401 [802-241-3110], or any Resource or Referral organization.

Pending/New Legislation

- Lead maintenance measures (Essential Maintenance Practices).

VIRGIN ISLANDS (VI)

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Number of Regulated Homes

- -4 family child care homes.
- -51 group child care homes.
- -Information on the ratio of the number of homes to licensor is not available.

Definitions and Regulatory Requirements

- -Requires licensing, if caring for 3-6 or 7-12 unrelated children; $10 initial $25 annual renewal. When programs are run by the territory, they are certified; however, they must meet the same standards as licensed programs.
- -Providers caring for 1-2 children are exempt from regulation.
- -Social security number of provider required.
- -The term "regular" is not defined by statute or regulation.
- -"Relative Care" is care provided by any of the following relationships by blood, adoption, marriage or legal gardianship: siblings, step parent, step child, parent-child, grandparent, grandchildren, uncle, aunt, niece, nephew or cousin.
- -Staff/child ratio is 1:6; with no more than 3 under the age of 18 months.
- -Children under 2 years of age are not permitted in child care centers; therefor children under 2 are placed in family child care homes or group child care homes.
- -Licensee is not required to reside in the home.
- -Liability insurance not required.
- -Substitute caregiver system required before licensing; substitute caregiver not required to be licensed.
- -No specific space requirements.
- **-Group Family Child Care Homes:**
  - -Staff/child ratio is 2:7-12 ratio.
  - -If more than 6 children are in care, or if more than 3 infants under the age of 18 months are in care, a second caregiver is required.
  - -At no time may there be more than 5 children under the age of 18 months.
  - -No specific space requirement.

Unannounced Inspection Procedure

- -Homes inspected before license is granted; subsequent on-site inspection visits twice a year; no advance notice required for on-site visit.

-When an allegation is filed, DHS worker visits, unannounced, to investigate the allegation.

Tracking of License Denials and Revocations
-No system currently available for tracking.

Complaint Procedure
-To file complaint, contact DHS responsible for licensing.
-Depending upon severity, consequences could lead to a probationary permit, suspension, or revocation of the license.

Provider Qualifications
-Provider must be at least 18 years old, and in good health.
-Provider and all family members involved with the child cannot not have any history of drug or alcohol abuse, or of abusing children.
-Background checks of child care providers is required, including searches of criminal records and child abuse registries.
-Providers must have a health card certifying that they are free of communicable diseases.

Provider Training and Orientation
-No initial educational requirements for family or group child care homes.
-Group home providers must attend at least one child-related workshop annually.
-Educational philosophy of the provider may be described in the required written objectives and goals of the home.
-CPR and First Aid is required.

Discipline Policy
-Corporal punishment prohibited; discipline should be applied in ways that help the child learn self-control and should not be humiliating or harsh.

Emergency Medical Consent Policy
-Providers required to have parents sign emergency medical form, but it is not required that this form be notarized.

Environmental Policy
-Testing for the presence of lead, asbestos and/or radon is not a requirement of licensing.
-No financial assistance is available for the inspection of and remediation in family child care homes for the presence of lead, asbestos and/or radon.
-Regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children
-Information about immunization requirements for children in family or group child care homes is not available; immunizations must be up to date.
-Blood lead level screening is not required for children prior to acceptance into a family child care home.

National Life Safety Fire Code Policy
-Regulations pertaining to fire safety included in the regulations, but no national policy is cited.

Nutrition Policy
-Provider required to ensure that children receive 1/3 of RDA.

Smoking Policy
-Smoking is prohibited in the presence of children.

Before and After School Programs
-No separate special regulations.

Infant Care Programs
-No separate special regulations.

Programs for Children with Disabilities
-No separate special regulations; provider required to consult with parents and professional to determine plan of care.

Sick Child Care Programs
-No separate special regulations.

Zoning Regulations
-Family and group child care homes must comply with local ordinances.

Available Resources
-Local resource and referral agencies.

Local Contact
-Department of Human Services.

Pending/New Legislation
-None.

VIRGINIA (VA)

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Number of Regulated Homes

- **1,116** voluntarily registered family child care homes.
- **1,669** licensed large family child care homes.
- **425** family child care homes approved through 3 licensed systems.
- **1,630** city/county regulated (providers/parents receive federal assistance).
- Licensor-provider ratio: 1:100 as an optimum ratio for supervision of homes; this ratio is impacted by revised licensing standards and extended licensure (2-3 year licenses).

Definitions and Regulatory Requirements

- In Virginia FCCH and LCCH are called "Family day homes" which means a child day program offered in the residence of the provider or the home of any of the children in care for 1 through 12 children under the age of 13, exclusive of the provider's own children and any children who reside in the home, when at least one child receives care for compensation.
- The terms "regular" or "regularly" are not defined.
- "Relative Care" is defined as "a child day care provider related to the parent or child by blood or marriage.
- Family day home may also be in the home of any child in care with conditions.
- Voluntary Registration:
  - FCCH caring for fewer than 6 children.
  - Certificate of registration renewed every 2 years; $50 fee.
  - Social security number of provider required for voluntary registration.
  - This program is targeted to the family child care homes that are not required to be state licensed; program is **not available** where city/county government ordinance regulates family child care homes.
  - Provider ratio - the adult to child ratios for voluntary registration are the same as those for licensed homes.
  - Space requirements: none.
  - Must meet health and safety checklist requirements. This is confirmed by a home visit conducted by the contracting agency.
- Required Licensing **[large or group day homes]**:
  - LCCH serving 6-12 children exclusive of the provider's own children and any children who reside in the home, shall be licensed.
  - Provisional licenses are issued for up to 6 months; these are issued when licensees are unable to substantially comply with the standards.

- -Licenses renewed annually; $14 licensing fee, every two years - $28, or every three years - $42 licensing fee.
- -In determining the need for an assistant, the following fixed adult to child ratios shall be maintained for children receiving care (this includes the provider's own and resident children under 8 years of age):
  - a)1:4 children from birth through 15 months of age;
  - b)1:5 children from 16 months through 23 months of age;
  - c)1:8 children from 2 through 4 years of age;
  - d)1:16 children from 5 years through 9 years of age; children 10 years of age and older shall not count in determining the adult-child ratio.
- -In mixed age groups, the provider shall apply the following point system in determining the need for an assistant. Each caregiver shall not exceed 16 points. The provider's own and resident children under 8 years count in the point maximums:
  - a)children from birth through 15 months: 4 points each;
  - b)children from 16 months through 23 months: 3 points each;
  - c)children from 2 years through 4 years of age: 2 points each;
  - d)children from 5 years through 9 years of age: 1 point each;
  - e)children 10 years of age and older:0 points.

  Exception: - point maximums for mixed age groups or fixed adult to child ratios may be exceeded in one age group by no more than 1 child for up to 1 month from the date of the child's enrollment during transitional periods when there is turnover in children receiving care and the ages of a child leaving and a child entering care do not match.
- -Family day homes shall comply with any limitations that may be placed by the Uniform Statewide Building Code on the number of children for whom care may be offered.
- -Parents must provide a signed authorization to use a substitute provider as necessary.
- -Providers are not required to reside in the home in which care is provided, but if they do not, it must be in the home of a child in care.
- -Liability insurance is not required.
- -An operable fire extinguisher shall be near the kitchen; smoke detectors are required on every floor of the home; monthly testing required; written, posted and practiced emergency escape plan required.
- -Space requirement: each child shall have an adequate amount of space to allow free movement and active play indoors and outdoors.
- -Other Regulating Entities:
  - -City/County Registered or Certified: some cities or counties have ordinances that govern child care facilities -- most mandatory, one volunteer.
  - -System Approved: The State licenses family child care systems to approve homes that are part of those systems.

Unannounced Inspection Procedure

- -LCCH are inspected prior to issuance of license and at least twice a year thereafter; one of these visits is unannounced.
- -A 10% random sample of homes that are not participating in the USDA CACFP are monitored every two years by voluntary registration contracting agencies.
- -In addition, a 25% random sample of all registered homes are monitored by the Virginia Department of Social Services.
- -If a complaint is received, an investigation is conducted; the nature of the complaint determines whether a home visit is conducted.

Tracking of Registration/License Denials or Revocations

-Both denials and revocations are tracked.

Complaint Procedure

-Complaints may be made by calling the regional licensing offices or the Licensing Information Line (1-800-KIDS-LIL); the Department is mandated to investigate all complaints on licensed homes.

-Consequences for violations may include corrective action, sanctions, revocation of license, or injunction.

Provider Qualifications

-Family Child Care Providers

-Must be at least 18 years old.

-An assistant must be at least 14 years old and helps the provider; assistant under 18 years cannot be left alone with the children.

-All must be able to understand and carry out the responsibilities of the requirements.

-Caregivers (the provider, substitute provider or assistants) must be able to speak, read, and write in English as necessary to meet the requirements of the regulations.

-Providers shall be able to provide activities and experiences daily that reflect the cultural and ethnic diversity of enrolled children and enhance the total development of children; show a clear understanding of the varying capabilities, interests, needs and problems of children in care; prove the ability to relate to children with courtesy, respect, patience, and affection, and understand and respect the families of the children in care.

-Providers must also be able to understand instructions on prescription and nonprescription medicines, handle emergencies with dependability and sound judgement, and communicate effectively with emergency personnel.

-TB skin tests required for provider and any assistants and substitutes, and for any adults (18 years & older) living in the home who will be in contact with the children or handle food served to children within 90 days of licensure or contact with children; individual must submit a statement signed and dated by physician or local health department stating he/she is free of tuberculosis in a communicable form.

-If individual has a positive reaction, but physician certified an absence of communicable disease, individual shall obtain check x-rays on an annual basis for the following two years and additional screening is required every two years thereafter.

-If individual has a negative reaction, additional screening required every two years thereafter.

-Any individual who comes into contact with a known case of TB or develops chronic respiratory symptoms shall, within 30 days of exposure or development, obtain a TB exam and submit a statement signed and dated by a physician or local health department official stating he/she is free of TB in a communicable form.

-No other immunizations for adults are required.

-Medical examinations may be required at the request of the provider or the DSS when there is an indication that the safety of children in care may be in jeopardy by the physical or mental health of the individual; appropriate action may be taken if jeopardy is substantiated.

-Three references required for licensed providers.

-Criminal records checks are required of providers, assistants, substitutes and any adults living in the home not more than 90 days before the date of the initial application; no person convicted of a crime involving child abuse, child neglect, or any other offenses specified in section 63.1-198.1 of the Code of Virginia shall be a caregiver.
-Child Protective Services Central Registry - All members of the household 14 years and older including relatives, lodgers, caregivers, and employees shall not be listed in the CPS Central Registry and shall have a CPS CR clearance conducted no more than 90 days before date of initial application.
-Substitutes must be 18 years old and meet the same requirements as providers; also must be approved by DSS.
-Voluntarily registered providers must complete/sign Health and Safety Checklist; also requires criminal record checks and CPS CR clearances for caregivers and household members; same as those for licensed homes.
-Local government or state licensed systems may have additional qualifications.

Provider Training and Orientation

-Voluntary registered providers:
 -Increases access to training and to information about training through the contract agency.
-Licensed providers:
 -Shall obtain first aid certification within 6 months of licensure and maintain a current certificate from ARC, AHA, or National Safety Council for First Aid Training Institute; exception provider who is RN or LPN with a current license from Board of Nursing does not have to obtain.
 -Training is offered by the Department, from application fees collected. Licensed provider must attend at least 6 hours of training a year; documentation of annual training shall be maintained on file in provider's home.
 -In addition to first aid training, training can be but is not limited to the following areas: physical, intellectual, social, and emotional child development, behavior management and discipline techniques, health and safety in the family day home environment, art and music activities for children, nutrition, child abuse detection and prevention, or recognition and prevention of the spread of communicable disease.
-Other Regulating Entities:
 -As specified by the local government regulating body or state licensed system.

Discipline Policy

-Licensed Homes:
-Children in care shall not be shaken or bounced vigorously at any time; NOT ALLOWED: hitting, spanking, beating, shaking, pinching, or other measures that produce physical pain; forcing, withdrawing or threatening to force or withdraw food, rest or bathroom opportunities; abusive and profane language; any form of public or private humiliation, including threats of physical punishment and any form of emotional abuse, including rejecting, terrorizing, ignoring, or corrupting a child.
-Children shall not be physically restrained except for safety.
-If time-out is used as a means of discipline, it shall be used sparingly and be brief and appropriate to the child's developmental level and circumstances. A child shall not be left alone inside or outside of the home while separated from the group. Time-out shall not exceed one minute for each year of the child's age and shall not be used at all for infants.

-No child shall be confined in a space that the child cannot open such as closets, locked rooms, etc.
-Children cannot be punished for toileting accidents.
-Voluntary Registration restricts the use of physical (corporal) punishment and emotional abuse in the family child care home.

Emergency Medical Consent Policy

-Form is required, but it does not have to be notarized.

Environmental Policy

-Testing for the presence of lead, asbestos, and/or radon is not a requirement for licensure; no financial assistance is available for the inspection for or remediation of the presence of lead, asbestos or radon.
-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children

-Children are required to have a medical examination and be immunized prior to enrollment or within 30 days after enrollment, as follows:
a)within 60 days prior to enrollment for children 6 months or younger
b)within 90 days prior to enrollment for children 7-18 months
c)within 6 months prior to enrollment for children 19-24 months
d)within 12 months prior to enrollment for children 2-5 years
e)within 24 months for children 6 years old and above
-A child may delay or be exempt from immunizations for religious or medical reasons.
-Blood lead level screening is not required for entrance into family day homes.

National Life Safety Fire Code

-Not adopted.

Nutrition Policy

-VA does not have a state sponsor for USDA CACFP; supervision is directly from the regional USDA office.
-Nutrition requirements for licensed homes meet USDA guidelines.

Smoking Policy

-Licensed homes - a smoke-free environment must be provided in rooms accessible to children while children are in care.
-Policy is the same on health/safety checklist for voluntary registration.

Before and After School Programs

-No separate special regulations.
-No policy regarding overlap time.

Infant Care Programs

-Infant is defined as a child from birth through 15 months.
-No separate regulations; included in general regulations.

Programs for Children with Disabilities

-No separate regulations; facilities must comply with the guidelines of the Americans with Disabilities Act.

-Staffing for a child with disabilities - the provider and parent of a child with special needs mutually determine a recommendation for the level of staffing necessary to care for the child in care. The provider shall consult with the Community Services Board worker or the local department of social services worker to review the recommendation if subsidized care is provided. The provider reports this recommendation to the licensing specialist on a form provided by the Department. The specialist considers the recommendation and makes a final determination of the level of staffing required to protect all children in care. The staffing recommendation is reviewed annually by all involved parties.

Sick Child Care Programs

-A child shall be excluded from a provider's home if the child has evidence of an oral body temperature of 101 degrees F or greater, recurrent vomiting or diarrhea, or symptoms of a communicable disease as delineated in the current Communicable Disease Chart.

-Other rules included in general regulations.

Zoning Regulations

-Family day homes with no more than 5 children, excluding any children who reside in the home, are considered residential use of property; localities must permit family child care for up to 5 children in all homes, including townhomes, apartments and trailer homes. Localities can choose to grant zoning approval for providers to care for more than 5 children, but are not required to do so. Five local jurisdictions are exempt from this law: City of Alexandria, Arlington County, Fairfax County, City of Fairfax and City of Falls Church.

-A USBC amendment (Section 310.1) effective 4/15/97 states: Family day homes licensed or certified by the Department of Social Services shall be permitted to accommodate the numbers of children permitted under the licensing restrictions and shall be classified as a residential use group.

Available Resources

-Child care media resource libraries, training sessions, quarterly newsletter, information about food programs, and information about state and local family child care associations.

Local Contact

-The Division of Licensing Programs, Virginia Dept. of Social Services Regional Licensing Offices: Abingdon, Fairfax, Newport News, Richmond, Roanoke, Verona, Virginia Beach, and Warrenton.

Pending/New Legislation

-New: See "Zoning Regulations" above.

WASHINGTON (WA)

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Number of Regulated Homes

-**8,725** family child care homes.
-Licensor-provider ratio: 1:152; optimum ratio is 1:150.

Definitions and Regulatory Requirements

-Licenses required; fee is $24 annually; licenses renewed at 3 year intervals.
-Department is allowed to issue an initial license to an applicant who can demonstrate compliance with health and safety regulations but cannot demonstrate compliance with rules pertaining to provider-child interactions, capacity, behavior management, activities and routines, child records, etc.
-Department is allowed to issue a probationary license if the provider fails to take corrective action to comply with Child Day Care Home regulations; a probationary license may only be used if the continuing violations do not pose an immediate threat to the health and safety of children, but would be likely to do so if they continued.
-Providers may care for up to 12 children, including provider's own children, with a qualified assistant; provider with 1 year of experience may care for 10 children alone if none are under 5 years of age. Provider with 2 years of experience, an ECE course, and an assistant, may care for a maximum of 4 children under 2 years of age. There must be 2 providers present when there are more than 2 children under age of 2; 7 or more children are in care and any child is under age 2; or, more than 10 children of any age.
-Social security number of provider is required.
-The term "regular" as it relates to licensing means care for more than one family or receiving gross earnings of more than $1,000 per calendar year and/or advertising such care.
-"Relative Care" is defined in RCW 74.15.020: any blood relative, including those of half-blood, and including first cousins, nephews or nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great; stepfather, stepmother, stepbrother, stepsister; legally adopted children; spouses of provider, even after marriage is terminated; or extended family members as defined by law or custom of Indian child's tribe; legal guardians; or persons who provide care for a neighbor's or friend's child or children with or without compensation for periods of less than 24 hours and does not conduct such activity on an ongoing, regularly scheduled basis. They are exempt from licensing. [See New/Pending Legislation - WAC 388-155-020.]

-Providers must reside in the home where care is provided; no waivers permitted.
-Liability insurance required for transportation only.
-Substitute caregiver and backup are required.
-Developmentally appropriate activities and routines are required.
-Space requirements: Adequate space for child play shall be available both indoors and outdoors. There shall be a minimum of 35 sq. ft. per child of indoor play area available.
-No separate large or group family child care home category.

Unannounced Inspection Procedure

-Homes inspected prior to licensing and are only revisited in response to a complaint or for licensing renewal. They are monitored through an unannounced visit one time during the 3 year period.
-Licensors are responsible for inspections of all FCCH.

Tracking of License Denials and Revocations

-Both denials and revocations are tracked on computer system and will be maintained forever.

Complaint Procedure

-To file a complaint, a telephone call is sufficient, to Children Administration intake only.
-If child abuse or neglect is alleged, CLR (Division of Licensed Resources) coordinates an investigation and enlists/informs licensing. Other types of complaints require an on-site inspection, usually unannounced.
-Providers cited for non-compliance; can be and usually are put on "no referral" status through the R&R; valid complaints can be disclosed if the general public inquires, fines can be levied for persistent non-compliance; in extreme cases, action can be/is taken to suspend or revoke the license.

Provider Qualifications

-Provider must be at least 18 years old.
-A Mantoux method TB test is required for each licensee, assistant, volunteer, and adult member of the household having regular contact with child in care.
-No other immunizations for provider or other adults are required.
-Three references are required.
-Criminal history background check done on applicant, assistant, volunteer, or member of household 16 years or older.
-FBI fingerprint check required if not a resident of state for past 3 years.

Provider Training and Orientation

-Providers are required to attend 5 hours of orientation.
-Guidebook provided for each family child care provider. The book explains the regulations and offers developmentally appropriate suggestions and resources.
-Providers must have one course in early childhood education and two years experience in child care in order to care for 12 children.
-First aid, CPR, and HIV/AIDS are separate required training for all providers.
-No other on-going training required; however, through rule changes mandated training will become effective in 1999.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Form is required, but it does not have to be notarized according to state law.

Environmental Policy

-Testing for the presence of lead, asbestos, and/or radon is not a requirement for licensure; no financial assistance is available for the inspection for or remediation of the presence of lead, asbestos or radon.

-State regulations do not address the issue of pesticide use near family child care homes located in rural area.

Immunization Policy for Children

-Children are required to be immunized and it is the responsibility of the provider to see that records are current. Parent must complete an immunization form proving the child has all required immunizations. If the child lacks the proper documents, the parent must obtain them as quickly as possible or sign an exemption.

-Blood lead level screening is not required for entrance into a home.

National Life Safety Fire Code Policy

-Smoke detectors required in all sleeping or napping areas and on each story; exit windows 5.7 sq. ft.;and fire extinguishers on all stories used for care.

Nutrition Policy

-WA Superintendent of Public Instruction is state sponsor for USDA CACFP.

-Meals and snacks shall comply with USDA meal patterns, plus Vitamin C serving daily, Vitamin A foods 3 times per week; whole milk only from birth to 24 mos.

-A child in care for 10 hours or less: 2 snacks & 1 meal or 2 meals & 1 snack; a child in care for 10 hours or more: 2 or more meals & 2 snacks or 1 meal & 3 snacks; an after school child: 1 snack; and evening care: dinner (if child hasn't eaten), 1 bedtime snack and breakfast (for nighttime care).

-If child brings food from home, the licensee must monitor, store safely, and supplement the food if found to be inadequate (conforms to USDA meals pattern).

-A modified diet - allergy, etc. - only with health care providers permission.

-Only pasteurized milk.

Smoking Policy

-Smoking is not allowed; regulations prohibit smoking in all areas of the home used by the child during hours of operation of child care and in the motor vehicle used by the licensee or assistant to transport the child.

Before and After School Programs

-No separate special regulations.

-No policy on overlap of school age with other children in FCCH.

Infant Care Programs

-Regulations focus on diaper-changing, toilet training, feeding, sleeping equipment, and activities and equipment which are developmentally appropriate.

Programs for Children with Disabilities

-No separate special regulations.

-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs

-The licensee shall daily observe the child for signs of illness. The licensee shall care for or discharge home the ill child based on the homes policies concerning an ill child.

Zoning Regulations

-Cities may not impose on FCCH conditions more restrictive than those imposed on other residential dwellings in the same zone.

Available Resources

-A guidebook; a host of handouts and forms; referrals to USDA food programs; CCR&R; family child care associations; training through R&R (state funded Family-to-Family replication of Child Care Aware Training in Spokane, Everett, Olympia, Tacoma, Tri-Cities, Seattle); links to WAEYC local chapters.

Local Contact

-All child care licensors now work in Office of Child Care Policy. Regional managers are located in the six regions of the state.

Pending/New Legislation

-WAC 388-155-020 is amended to allow friends and neighbors to provide care to children with our without compensation as long as they are not providing care on an ongoing, regularly scheduled basis for purposes of engaging in a business, which includes, but is not limited to, advertising such care. Advertising means attempting to solicit child care clients, either directly or indirectly, through written or electronic means. Engaging in a business means providing child care for more than one family member or receiving gross earnings from child care of more than $1,000 per calendar year.

-WAC-388-155-092-6 is added to allow the department to impose civil penalties on Child Day Care Home providers who demonstrate an unwillingness to comply with the regulations. A penalty of $75 per violation per day may be imposed.

-WAS-388-155-097 is added to allow the department to impose civil penalties on unlicensed providers who do not submit an application for a Child Day Care Home license within 30 days of notification. A penalty of $75 per day may be imposed.

WEST VIRGINIA (WV)*

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Number of Regulated Homes

-**4,450** family child care homes.
-No information available on licensor-provider ratio.

Definitions and Regulatory Requirements

-Registration required for providers who receive federal funds, or who care for 4-6 unrelated children; no fee.
-Provisional registration certificates not available.
-Providers caring for 1-3 children are legally exempt from regulation.
-Providers may care for up to 6 children, including provider's own children whether related by blood, marriage or adoption, who live in the home, and are under age of 6; no more than 2 under age 24 months allowed at any time.
-Social security number required.
-The term "regular" is not defined.
-"Relative Care" is defined as a relationship by blood, marriage or adoption of the following: grandparents, step grandparents, aunts, uncles, nieces, nephews, siblings, spouse, great grandparents, step great grandparents and cousins.
-Home shall have indoor and outdoor play space that is free of unsanitary or hazardous items; each child shall have a comfortable and clean place to sleep.
-Providers must reside in the home in which care is provided.
-Liability insurance not required.
-See "Pending/New Legislation" for group family child care home information.

Unannounced Inspection Procedure

-Five percent of registered homes inspected annually. All Block Grant homes are monitored annually. No information about whether these inspections are announced or unannounced.
-Custodial parents must have access at all times.

Tracking of Registration Denials and Revocations

-No information available.

Complaint Procedure

-Suspected child abuse or neglect shall be reported to the Department of Health and Human Resources, as mandated by WV Public Human Service Law.

Provider Qualifications

-Provider must be at least 18 years old.

-Initial physical exam required and upon renewal; medical exam shall establish that the caregiver is physically and mentally able to care for children and is free from communicable diseases.

-TB screening required.

-Criminal records check and thumbprinting done on providers and their families; fee is $5/person and DHHR pays fee. Providers sign record of criminal background statement when registering state that caregiver and all household members shall use no alcoholic beverages or illegal substances when children are in care; have no substantiated history of child abuse or neglect; have no criminal convictions involving bodily harm, sexual offenses, or driving under the influence. Caregivers agree to notify the regulatory agency within 3 days if the provider or another household member is indicted or charged with any offense.

-Provider must be able to read and write, or have an assistant or family member available at all time and is able to read and write.

-Substitutes must be 18 years old; parents shall be informed when a substitute is to be used.

Provider Training and Orientation

-Caregivers shall attend health and/or safety training at least twice annually and shall maintain written records of attendance at such training.

-CPR and first aid is not required.

Discipline Policy

-A caregiver shall not subject a child to any of the following: humiliating, shaming or frightening treatment; loud, profane or abusive language; derogatory remarks about the child or the child's family; any type of physical discipline, including spanking, hitting, kicking, biting or shaking, nor any form of discipline which would be considered abuse or neglect; deprivation of food, sleep or toilet access; withholding emotional response; confining a child in a closet or a box or use of any physical restraints to confine a child.

-Napping, toilet training or eating shall not be associated with discipline.

-Methods of guidance and discipline used by a caregiver shall be positive and consistent with age of the child. A caregiver and parents shall discuss and agree upon positive methods of discipline.

Emergency Medical Consent Policy

-Form is required; but it does not have to be notarized.

Environmental Policy

-Testing for the presence of lead, asbestos or radon is not a requirement for registration; no financial assistance is available for the inpsection and remediation of lead, asbestos or radon.

-Regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children

-Caregiver shall maintain a record of each child's health examinations and immunizations, as follows: each child 6 years of age and under shall have a

general medical examination within 6 months prior to admission or within 1 month of admission to the home; and immunization records shall be updated as needed, according to the child's age.
-Blood lead level screening is not required prior to entrance into a family child care home.

National Life Safety Fire Code Policy
-Not adopted; must meet WV fire and environmental safety guidelines as defined in family child care home checklist.
-A working smoke detector must be installed on each level of the family child care home.
-A fire extinguisher and a working flashlight must be available.

Nutrition Policy
-Caregiver shall ensure that children receive nutritious meals and snacks served in a sanitary manner and in amounts adequate to meet their nutritional needs.

Smoking Policy
-Smoking is allowed.

Before and After School Programs
-No separate special regulations.
-No policy concerning overlap time for school age children; issue is under investigation.

Infant Care Programs
-No separate special regulations.
-A caregiver shall hold an infant 9 months of age and younger while feeding him/her a bottle; bottles are not propped.

Programs for Children with Disabilities
-No separate special regulations.
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs
-No separate special regulations.

Zoning Regulations
-FCCH must comply with local ordinances.

Available Resources
-No information available.

Local Contact
-Local Dept. of Health and Human Resources.

Pending/New Legislation
-WV recently passed a law implementing "certification of family child care facilities" caring for 7-12 children; rules are now being promolgated.

* Information from *1996 Family Child Care Licensing Study*

WISCONSIN (WI)

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Number of Regulated Homes

- **4,857** certified family child care homes.
- **2,659** licensed family child care homes.
- Licensor-provider ratio: not able to determine specific ratio since many licensing specialists carry a mixed generic caseload of licensing responsibility.

Definitions and Regulatory Requirements

- Certification required for FCCH that have fewer than 4 children under age 7 years and that receive certain public funds for day care services.
- FCCH serving fewer than 4 children under age 7 years NOT receiving public funds are exempt from regulation.
- Licensing required for FCCH with 4 or more children under age 7 years.
- If 3 or 4 children under the age of 2 years are in care, the number of other children in care is reduced.
- Licenses are $50 and renewed every 2 years after licensing review; money is used to fund licensing staff positions.
- Social security number of provider is required by statute.
- The term "regular" means an individual providing care or supervision who is not a relative or guardian of a child.
- "Relative Care" means a parent, grandparent, stepparent, brother, sister, first cousin, nephew, niece, aunt, or uncle. This relationship may be by consanguinity or direct affinity.
- Provider not required to reside in the home in which care is provided; however, if licensee or no other adult resides in the residence used for family child care, the zoning exemption does not apply.
- Liability insurance not required.
- Space requirement: licensed-35 sq. ft./child indoors; 75 sq. ft./child outdoors.
- **No provisions for Group Family Child Care Homes**

Unannounced Inspection Procedure

- Licensed homes are inspected prior to licensing and at least annually thereafter; homes with non-compliance history are visited more often.
- Certified homes are inspected according to state standards by counties.
- When a complaint is filed, there is an unannounced site visit and investigation; then complaint substantiated or not.

Tracking of Certificate/License Denials and Revocations

-Denials and revocations are tracked, as well as forfeitures assessed.

Complaint Procedure

-To file a complaint, call or write, call licensing office.

-Consequences: violations cited and a correction plan required and monitored; department can order action such as specific corrective action requiring training or closing intake, require monetary forfeitures, or revoke license.

Provider Qualifications

-Provider must be at least 18 years old.

-Initial physical exam and a negative TB skin test required for provider.

-No requirements for immunization of provider and other adults in household.

-Two references required.

-All applicants must fill out a notarized form concerning criminal background. Criminal record checks through WI Department of Justice of persons living or working in licensed or certified programs is completed prior to license or certification issuance and at two year intervals.

Provider Training and Orientation

-No preservice training is required.

-40 hours of early childhood education required within 6 months of licensing and 15 hours annual in-service training required in order to maintain the license.

-10 hours of training in infant/toddler care is required within 6 months after accepting infants or toddlers for licensed programs.

-15 hours of training required for certification.

-Classroom training is based on state criteria.

-CPR and first aid is not a separate training requirement.

Discipline Policy

-Corporal punishment and verbal abuse prohibited.

Emergency Medical Consent Policy

-Form is required, but it does not have to be notarized.

Environmental Policy

-Testing for the presence of lead, asbestos, and/or radon is not a requirement for licensure.

-Results of bacteriological testing of water is kept on file.

-No financial assistance is available for the inspection for or remediation of the presence of lead, asbestos or radon.

-State regulations do not address the issue of pesticide use near family child care homes in rural areas.

Immunization Policy for Children

-Children must be immunized; provider is responsible for seeing that records are current.

-Blood lead level screening is not a requirement for entrance into homes.

National Life Safety Fire Code Policy

-Codes based on uniform dwelling code.

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Nutrition Policy

-WI Department of Public Instruction is state sponsor for USDA CACFP.

-Meals must meet 1/3 of daily nutritional requirements; snacks must meet nutritional standards.

Smoking Policy

-Smoking is not allowed indoors and outdoors, nor in vehicles when child care children are present by state statute.

Before and After School Programs

-A written agreement outlining the plan for a school age child to come and go is required.

-No overlap policy is allowed; child/staff ratios must be maintained.

Infant Care Programs

-Special regulations regarding staff training, daily program, feeding, diapering and toileting activities.

Programs for Children with Disabilities

-No separate special regulations.

-Providers are encouraged comply with the guidelines of the ADA.

Sick Child Care Programs

-Sick children cannot be in care, some exceptions made if there is a carefully planned program, which is separate from well children and specifically authorized after M.D. review.

Zoning Regulations

-FCCH must comply with local ordinances, but there is a state statute prohibiting municipalities from preventing licensed homes from operating where single-family residence is a permitted use.

Available Resources

-Start up technical assistance through private contract; support from network of child care resource and referral agencies; work with technical college system and university to offer entry level training and continuing education, and private trainers whose credentials and course outlines are approved by WI.

Local Contact

-County Department of Social Services for certification.

-Regional offices, State Department of Health and Family Services for licensing.

Pending/New Legislation

-Bill proposes consistent background screening requirements for children's licensed child care and residential facilities, and adult regulated facilities and health care (hospitals, hospice, home health agencies); being considered by legislators. If enacted, this legislation will replace existing background check requirements.

-1997-99 budget bill includes provision authorizing use of a non-expiring license for child care centers; licenses would be reviewed for continuation every 2 years if enacted.

WYOMING (WY)

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Number of Regulated Homes

-**416** family child care homes.
-**415** group family child care homes.
-Licensor-provider ratio: 1:129; (also responsible for child care centers).

Definitions and Regulatory Requirements

-Licensing required when caring for 3 or more children; no fee.
-Licenses renewed annually.
-Providers caring for 1 or 2 children are exempt from regulation; also providers giving care to only one immediate family.
-Provisional licenses are available for a maximum of 6 months and cannot be renewed. They can be issued permitting a provider to operate if they are temporarily unable to meet all required standards or if other required inspections are delayed.
-FCCH may have up to 6 children, preschool age children are included in the number of 6. Infant care limited to 2 children unless another adult is present; then infant capacity can be increased to 5.
-The terms "regular" or "regularly" are not applicable.
-"Relative Care" means any blood relative including those of half-blood: first cousins, first cousins once removed, aunt or uncle, nephews and nieces, and persons of preceding generations denoted by prefixes of "grand," "great," "great-great" or "great-great-great;" also stepmother, stepfather, stepbrother and stepsister; adoptive or natural parents and their adopted or natural children; siblings including those related by adoption; and spouses or any person mentioned above are considered relatives even though the marriage may be terminated by death or divorce.
-Social security number of provider is required.
-Providers are not required to reside in the home in which care is provided.
-Liability insurance not required, but strongly recommended.
-Space requirements: 35 sq. ft. per child inside, 75 sq. ft per child outside; 50 sq. ft. for infants age 2 years and under.
-**Group Family Child Care Homes:**
 -Maximum of 11 children; staff ratio: 1:11, no more than 2 infants unless another adult is present, then can have up to 5 infants.
 -Must have fire and health inspections as well as a licensing inspection.
 -Must have zoning approval by city/county where required.

Unannounced Inspection Procedure

-Homes inspected before licensing; initial inspection is by appointment, all others are unannounced.

Tracking of License Denials and Revocations

-Both denials and revocations are tracked on computer.

Complaint Procedure

-To file a complaint, call local DFS office.
-When a complaint has been filed, investigation of rules violations is by an unannounced visit.
-Consequences depend on seriousness of violation, can include license revocation.

Provider Qualifications

-Provider must be at least 18 years old.
-Provider must possess or have done at least one of the following: high school diploma or the equivalent, or be able to document 3+ months of supervised experience or education in care of children other than own (6+ months for providers in GCCH), or completed 5 clock hours of FCCH training prior to certification, or have received a professional credential from nationally recognized organization.
-Physical exams and TB tests required for any household members who are active in caring for the children.
-Three written references required for any household members who are active in caring for the children.
-Child Abuse Central Registry check is done; no criminal record checks or fingerprinting required.
-No policy regarding immunization of adults.
-A substitute for more than 24 hours per month must have physical exams, TB tests, 3 references and training.
-Provider is responsible for substitute or anyone else who comes in close contact with the day care while it is in operation.

Provider Training and Orientation

-No preservice training is required
-8 clock hours of training required annually and should include but is not limited to: child development and growth; alternative methods of discipline; how to structure the environment; business knowledge & skills; legal rights and responsibilities; reporting of child abuse/neglect; state or local rules, regulations or law.
-First aid training, and infant and child CPR also required but not as a separate training requirement.
-Substitutes for more than 24 hours are required to have first aid, CPR and 8 clock hours of training.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Form is required, but it does not have to be notarized.

Environmental Policy

-Testing for the presence of lead, asbestos and/or radon is not required for licensure; however, lead must be removed when identified according to rule.
-Blood lead level testing is available and environmental investigation to determine source of lead is available.
-Radon test kits are available with on-site placement for day care
-No financial assistance is available for the remediation of the presence of lead, asbestos or radon.
-State regulations do not address the issue of pesticide use near family child care homes located in rural areas.

Immunization Policy for Children

-Children are required to be immunized; provider is responsible to see that the records are current.
-Blood lead level screening is not required for entrance into a home.

National Life Safety Fire Code Policy

-Not adopted.

Nutrition Policy

-WY Department of Education is state sponsor for CACFP.
-Nutritious meals and snacks are required.

Smoking Policy

-Smoking is allowed.
-Child Care Certification Board, an advisory board for DFS, has adopted a position of a smoke-free environment which is to be considered with the next rule changes.

Before and After School Programs

-No separate special regulations.
-As space is available, providers are allowed 1-3 school age children for up to 3 hours over their capacity where permitted.

Infant Care Programs

-No separate special regulations for FCCH, but there are regulations for centers which also apply to FCCH when more than 3 infants are present.

Programs for Children with Disabilities

-No separate special regulations.
-Providers must comply with the guidelines of the ADA.

Sick Child Care Programs

-Regulations adopted excluding sick children in child care.

Zoning Regulations

-GCCH must comply with local zoning codes; fees incurred in special instances.

Available Resources

-Local associations, food programs, training and resource and referral.

Local Contact

-County Offices of the Department of Family Services.

Pending/New Legislation

-Pending: Licensing fees will be established and collected.
Rules revision from 1990 (last update).

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AND
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THE CHILDREN'S FOUNDATION (CF)

The Children's Foundation (CF), an educational non-profit organization, is nationally recognized for its contributions to child care, child health, child nutrition, and child support enforcement. Since its founding in 1969, CF has strived to improve the lives of children and those who care for them. Our mission is to provide a voice for children and their families on issues of critical concern at the national, state and local levels.

* CF provides resources and training for family child care providers, center-based personnel, nannies, au pairs and parents.

* CF publishes the *CF Child Care Bulletin*, the oldest continuously published national newsletter with a family child care focus, six times a year.

* CF compiles and publishes *The Child Care Center Licensing Study*, a state-by-state breakdown of child care regulations and requirements.

* CF publishes Fact Sheets on health-related issues for caregivers and parents in English and Spanish.

* CF provides information on the Child Care Food Program and assists in the development of food program sponsors.

* CF publishes the *Child Support Bulletin*, a quarterly newsletter, and provides information on a collection of child support topics for pertinent for custodial parents.

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